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1835

AN

ACT INCORPORATING

THE

CITY OF CINCINNATI,

AND A

DIGEST OF THE ORDINANCES

OF SAID CITY,

OF

A GENERAL NATURE, NOW IN FORCE,

WITH AN APPENDIX.

ised and published by order of the City Council.

CINCINNATI:

LODGE, L'HOMMEDIEU AND CO. PRINTERS.

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1835.

At a stated meeting of the City Council of the City of Cincinnati, held May 23d, 1834, the following resolution was adopted:

"Resolved, That a Committee of three be appointed to revise the City Ordinances, and to have all such as are in force printed, under the direction of said Committee."

Whereupon the following members were appointed said Committee:

EDWARD WOODRUFF,
EBENEZER HINMAN,
HENRY B. FUNK.

CHARLES SATTERLY, City Clerk.

R E P O R T.

The committee on Revision made the following report, which was unanimously accepted and ordered to be published:

MR. PRESIDENT:

Your committee to whom was assigned the duty of revising the ordinances of this city, have the satisfaction to report: That their labor is now accomplished by the publication of the ordinances in their present revised form; in the completion of which they have been greatly assisted by the prompt and able co-operation of this board.

In adopting the present plan for their publication, your committee have carefully attended to the collection of such ordinances of a general nature as were in force at the time of its commencement, or passed during its progress, arranging them under distinct heads in alphabetical order. At the same time they have endeavored to rid the work of all unnecessary incumbrances, and with that view have omitted the repealing clauses in all cases, except where they referred particularly to other ordinances which were necessarily published entire, but parts of which have been affected by such repealing sections.

They also deemed it needless to lumber the publication by ordinances of a local nature, as they interest but very few individuals, and are easy of access by reference to the records, whenever occasion may require. In the Appendix have been collected such subjects as were supposed more intimately connected with the main body of the work, embracing several Acts of the State Legislature relative to certain subjects of city legislation, and a short notice of the various Acts establishing the Corporation, together with the names of the principal officers who have assisted in the administration of its affairs since its organization.

The particulars above stated, together with the present charter, arranged with marginal notes; the standing rules of the City Council; names of the streets in the city; and a general index, complete the outline of the publication.

During the progress of their labors, your committee have had a favorable opportunity of observing the several stages of town and city legislation, since the period of the first act of the territorial government incorporating the '*Town of Cincinnati*,' passed

1st January, 1802, down to the present time, in which they find much both to amuse and admire. And, although they claim for the present condition of your city a higher degree of improvement in architectural taste, facilities for commerce and education, and a system of ordinances better adapted to her present wants; yet they are induced to believe that better citizens, or more valuable men, never existed in any community, than those whose fostering care nurtured and protected the '*Young Hope*' of the early pilgrims of the West.

Few cities can claim a more respectable origin than Cincinnati, as the names and characters of the men who were most influential in her establishment, and in the administration of her affairs, sufficiently show; many of whom have lived to see the little village, in which they first reared for themselves and families a few rude cabins, grow up to the stature and elegance of a flourishing city.

To the citizens of the present day, it would afford much amusement to examine the primitive records of the corporation; to see with what familiarity, and freedom from all form and restraint they conducted their official proceedings. They were truly upon the *pure democratic principle*, those in power frequently sending a letter missive, and sometimes quite submissive, to such as were charged with violations of the ordinances, requesting them to appear before council to answer sundry charges preferred against them; and when present, merely asking them at what time it would be convenient for the accused to comply with the provisions of the ordinances, which they were charged with having violated, either by abating a nuisance or otherwise; shewing that the people were indeed the sovereigns, and the officers their servants. At the same time, however, that we make this passing observation, on a trait of character which evinces at least the good fellowship that existed among them, we find many circumstances in their early history, which excite a generous feeling towards those high-minded, patriotic and adventurous pioneers who, like so many *Cincinnatus*'s, tilled their own fields, lived in their own tents, reared by their own hands, and defended by their own courage. And let us hope, that while our city is on her prosperous march to greatness, and her citizens in the enjoyment of all that can make us happy at home and respected abroad, that we may never lose sight of their virtues—*enterprise* and *independence*.

All of which is respectfully submitted.

E. WOODRUFF,
E. HINMAN,
H. B. FUNK. } Committee of
 } Revision.

AN ACT

**To Incorporate and Establish the City of Cincinnati,
and for revising and repealing all laws and parts
of laws heretofore enacted on that subject.**

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That so much of the county of Hamilton as is contained within the following bounds, to wit: beginning on the Ohio river, at the east corner of fractional section number twelve, and running west with the township line of Cincinnati to Mill creek, thence down Mill creek with its meanders to the Ohio river, thence eastwardly up said river, with the southern boundary of the State of Ohio, to the place of beginning, shall be and hereby is declared to be a City; and the inhabitants thereof are created a body corporate and politic, with perpetual succession, by the name and style of "THE CITY OF CINCINNATI," and as such, by that name, shall be capable in law of contracting and being contracted with, of suing and being sued, pleading and being impleaded, answering and being answered unto in all courts and places, and in all matters whatsoever; and also, of purchasing, using, occupying, enjoying and conveying real and personal estate; and may have and use a corporate seal, and change, alter, and renew the same at pleasure; and shall be competent to have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties and obligations incumbent upon and appertaining to a municipal corporation; and, for the better ordering and governing said city, the exercise of the corporate powers of the same, hereby and herein granted, and the administration of its fiscal, prudential and Government of

Limits of the Corporation.
Creation & style of the Corporation.

CITY CHARTER.

municipal concerns, with the conduct, direction, and government thereof, shall be vested in one principal officer, to be styled the Mayor, a board of Trustees consisting of three members from each ward, to be denominated the City Council, together with such other officers as are hereinafter mentioned and provided for.

*City, the owner
of real estate, &c.* SEC. 2. That the said City of Cincinnati shall be and hereby is invested as the lawful owner and proprietor, with all the real and personal estate, and all the rights and privileges thereof, together with all the property, funds and revenues, and all money, debts, accounts and demands, due and owing, or in any wise belonging to said city, or which, by or under the authority of any former act or acts, have been acquired, vested in, or is, or may be, owing or belonging to the City of Cincinnati, and the same are hereby transferred to the corporate body, created and established by this act; and all suits pending, and judgments recovered by, in favor of, or against said City of Cincinnati, together with all rights, interests, claims and demands in favor of, and against the same, may be continued, prosecuted, defended, and collected in the same manner as though this act had never been passed.

*City divided into
wards*

SEC. 3. The said city shall be divided into wards, as the boundaries thereof are now established, until such boundaries may be altered, or the number of wards may be increased, by the City Council, who are hereby authorized and empowered to make alterations in the boundaries of, or to establish additional wards, as the public convenience may require.

*Mayor elected
biennially*

SEC. 4. That the Mayor of said city shall be elected by the qualified voters thereof on the first Monday of April, biennially, and shall hold his office for the term of two years, and until his successor shall be chosen and qualified; it shall be his duty to be vigilant and active at all times in causing the laws and ordinances of said city to be put in force and duly executed, to inspect the conduct of all subordinate officers in the government thereof, and as far as is in his power to cause all negligence, carelessness, and positive violation of duty to be prosecuted and promptly punished; he shall keep the seal of said city, sign all commissions, licenses, and permits, which may be granted by or under the authority of the City Coun-

*Powers and du-
ties of*

CITY CHARTER.

cil, and shall keep an office in some convenient place in said city, to be provided by the City Council; he shall perform such duties and exercise such powers as from time to time may devolve upon him by the ordinances of said city, not inconsistent with the provisions of this act, and the character and dignity of his office, and generally do and perform all such other duties, and exercise such other powers as pertain to the office of mayor; he shall, in his judicial capacity, have exclusive original jurisdiction of all cases, for the violation of the ordinances of said city, and criminal jurisdiction in all cases where, by the laws of this State, justices of the peace within the township of Cincinnati, are or shall be authorized to hear and determine, or in any manner have power to act; and for the due and efficient exercise of the power herein and hereby vested in him, he shall have power, and it shall be lawful for him to award all such process, and issue all such writs as may be necessary to enforce the due administration of right and justice throughout said city, and for the lawful exercise of his jurisdiction agreeably to the usages and principles of law: *Provided*, that in all cases brought before said Mayor, for violations of the ordinances of said city, and when the said Mayor shall adjudge the defendant or defendants to pay a fine of ten dollars or upwards, exclusive of costs, the defendant or defendants shall have the right of appealing from the said judgment to the Court of Common Pleas of Hamilton county, upon giving bond in double the amount of said judgment and costs, and with such securities as shall be approved of by said Mayor, within ten days from the rendition of said judgment, which bond shall be conditioned to pay and discharge the judgment and costs which may be recovered against him, her, or them, in the said Court of Common Pleas, which appeal, when perfected, by giving bond as aforesaid, shall entitle the party appealing to the same rights and privileges, subject to the same conditions, restrictions and limitations as, by the laws of this State, pertain to parties appealing from the judgments of justices of the peace to the Courts of Common Pleas; and the said causes so appealed, shall be prosecuted, in said Court of Common Pleas, by indictment and trial by jury, in the same manner as offences against the laws of the State are prosecuted,

Powers and du-
ties continued

Proviso allowing
appeals

Causes appealed
to be prosecuted
by indictment

CITY CHARTER.

and it shall be sufficient to set forth in the indictment, the offence in the words of the ordinance said to be violated, and to refer to said ordinance by title only, without reciting such ordinance, and by concluding the said indictment, against the peace and dignity of the State of Ohio. And, the said Court of Common Pleas of Hamilton county, is hereby authorized, empowered and directed to take cognizance of, and hear and determine all such cases as shall be brought before them by appeal as aforesaid, and to assess such fine, and pass such judgment against the defendant or defendants, as shall be prescribed by the ordinances

Mayor may take acknowledgments of deeds, &c. of the city. The Mayor shall moreover have authority to take and certify the acknowledgments of all deeds for the conveyance or incumbrance of real estates situated in the State of Ohio; and it shall be lawful for him to order any person brought before him charged with the commission of any criminal offence in any State or Territory of the United States,

To deliver up fugitives from justice upon proof by him adjudged sufficient, to direct such accused person to be delivered to some suitable person or persons to be conveyed to the proper jurisdiction for trial.

Three trustees from each ward to be elected annually, who shall compose the city council Sec. 5. That the qualified electors of each ward in said city shall, on the first Monday in April, annually, elect three trustees, who shall have resided in said

city three years, and shall have been freeholders or householders therein one year next preceding such election, and shall be residents and inhabitants of the ward in which they shall be elected; and the trustees so elected, when assembled together and duly organized, shall constitute the City Council, a majority of the whole number of whom shall be necessary to constitute a quorum for the transaction of business; they shall be judges of the elections, returns and qualifications of their own members, and shall continue in office for the term of one year, and until their successors shall be chosen and qualified; they shall determine the rules of their proceedings, and keep a journal thereof, which shall be open to the inspection and examination of every citizen; and may compel the attendance of absent members, in such manner and under such penalties as they shall think fit to prescribe; they shall meet in the council chamber, or in some other convenient place in said city, on the second Monday in April; and after having taken the

Powers and duties of Council

CITY CHARTER.

oath of office before the mayor, or some other officer qualified to administer oaths, they shall elect from their own body a president, who shall preside in their meetings during the term for which they shall have been elected, and a recorder, who shall have the custody of all the laws and ordinances of said city during the said term: *Provided*, That in the absence of the president, the recorder shall preside; and in the absence of the president and recorder, the council shall elect a president *pro tempore*; they shall also appoint or cause to be elected from the qualified voters of said city, a city clerk, whose duty it shall be to keep a regular and correct journal of the proceedings of the council, and shall perform such other duties as may be required of him by the ordinances of said city; and no member of the city council shall hold or possess any other office, which is lucrative, under the government of said city.

SEC. 6. That the city council shall provide the times and places of holding their meetings, not herein otherwise provided for, which shall at all times be open for the public; they shall appoint or provide by ordinance, for the election by the qualified voters of said city, of all assessors, collectors of all taxes, (other than those provided for in the thirty-seventh section of this act,) city surveyors, clerks and constables of the markets, street commissioners, supervisors of highways, health officers, weighers of hay, measurers of wood and coal, wharf masters, and such other city officers, whose appointment or election is not herein otherwise provided for, as shall be necessary for the good government of said city, and the due exercise of its corporate powers, and which shall have been provided for by ordinance; and all city officers whose term of service is not prescribed, and whose powers and duties are not defined in and by this act, shall perform such duties, exercise such powers, and continue in office for such term of time, not exceeding one year, as shall be prescribed by ordinance.

SEC. 7. That the said city council shall have the custody, care, superintendence, management and control, of all the real and personal estate, and other corporate property belonging to said city, and all the real and personal estate, money, funds, and revenues, which from time to time may be owned by, or

The may elect
a president and
recorder.

Duties of city
clerk.

City council to
appoint time and
place of holding
their meetings,
and to appoint
certain officers.

City council to
control and man-
age the property,
funds and reve-
nues of said city.

of right belong to said city, with full power to purchase, hold, possess, use, occupy, sell and convey the same, for the use and benefit of said city and

Proviso prohibiting the sale of certain property without the consent of the citizens.

the inhabitants thereof: *Provided*, That the city council shall not have power to sell, or in any way dispose of, any public landing, wharf or wharves, dock or docks, basin or basins, or any interest therein, or part thereof, which now is, or hereafter may be owned by, or shall become the property of said city, and which may be used and kept for the accommodation and convenience of the merchants, and others engaged in the trade, commerce and navigation of said city; nor shall the city council have power to sell, or in any way to dispose of any other real estate, or interest therein, which now is owned by, or hereafter may become the property of said city, unless the qualified voters thereof, in pursuance of ten days previous notice by order of the council, published in two or more of the newspapers printed in said city, setting forth the time, place, and purpose of voting, shall, by a majority of written or printed ballots given, express their consent thereto; nor shall the said city council issue any written or printed notes or tickets to be issued under their authority, or under the authority of said city, as a circulating medium of trade or exchange, or in any way or manner, either directly or indirectly, engage in the business of banking.

Banking prohibited.

City council to pass ordinances.

SEC. 8. That the said city council shall have power, and it is hereby made their duty to make and publish, from time to time, all such ordinances as shall be necessary to secure said city and the inhabitants thereof, against injuries by fire, thieves, robbers, burglars, and all other persons violating the public peace; for the suppression of riots and gambling, and indecent and disorderly conduct: for the punishment of all lewd and lascivious behavior in the streets and other public places of said city, and for the apprehension and punishment of all vagrants and idle persons; they shall have power from time to time, to make and publish all such laws and ordinances as to them shall seem necessary, to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and

To impose fines, forfeitures, and penalties.

convenience of said city and the inhabitants thereof; to impose fines, forfeitures, and penalties, on all per-

sons offending against the laws and ordinances of said city, and provide for the prosecution, recovery and collection thereof; and shall have power to regulate by ordinance, the keeping and sale of gun powder, within the city.

SEC. 9. That the said city council shall have power to establish a board of health for said city, to invest it with such powers, and impose upon it such duties as shall be necessary to secure to said city and the inhabitants thereof, from the evils, distress and calamities of contagious, malignant and infectious diseases, provide for its proper organization, and the election or appointment of the necessary officers thereof, and make such by laws, rules and regulations for its government and support as shall be required for enforcing the most prompt and efficient performance of its duties, and the lawful exercise of its powers: they shall have power, whenever the public peace of said city shall require it, to establish a city watch, and organize the same, under the general superintendence of the city marshal, or other proper officer of the police, prescribe its duties and define its powers in such manner as will most effectually preserve the peace of said city, secure the inhabitants thereof from personal violence, and their property from fire and unlawful depredation; they shall establish and organize all such fire companies, and provide them with the proper engines, and other instruments, as shall be necessary to extinguish fire, and preserve the property of the inhabitants of said city from conflagration, and provide such by laws and regulations for the government of the same as they shall think fit and expedient; and each and every person who may belong to any such fire company, shall, in time of peace, be exempted from the performance of military duty, under the laws of this state: they shall erect, establish and regulate the markets and market places of said city, for the sale of provisions, vegetables, and other articles necessary for the sustenance, comfort, and convenience of said city and the inhabitants thereof; and they shall have power to establish and construct landing places, wharves, docks and basins in said city, at or on any of the city property, and fix the rates of landing, wharfage and dockage of all steam boats, boats, rafts, and other water craft, and of all goods, wares, merchand-

To regulate the
keeping of gun-
powder.

May establish
and regulate a
board of health.

May establish a
city watch.

They shall estab-
lish and organ-
ize fire compa-
nies.

Members of fire
companies ex-
empt from mili-
tary duty.

To establish and
regulate markets.

Wharves, docks,
&c.

CITY CHARTER.

dise, produce and other articles that may be moored at, landed on, or taken from any landing, wharf, dock, or basin, belonging to said city.

Wooden buildings may be prohibited. SEC. 10. That for the purpose of more effectually securing said city from the destructive ravages of fire, the said city council shall have power and authority, and for such purpose they are hereby empowered and authorised, on the application of three fourths of the whole number of owners or proprietors of any square or fractional square in said city, to prohibit in the most effectual manner, the erection of any building, or the addition to any building before erected, more than ten feet high in any such square or fractional square, except the outer walls thereof shall be composed entirely of brick or stone and mortar, and to provide for the most prompt removal of any building or addition to any building which may be erected contrary to the true intent and meaning of this section.

Taverns, &c. regulated. SEC. 11. That the said city council shall have power, and it is hereby made their duty, to regulate by good and wholesome laws and ordinances for that purpose, all taverns, ale and porter shops and houses, and places of significant and habitual resort for tippling and intemperance, where spirituous liquors are sold or used by a less quantity than a quart, and all other houses of public entertainment within said city; all theatrical exhibitions and public shows, and all exhibitions of whatever name or nature to which admission is obtained on the payment of money or any other reward; the sale of all horses and other domestic animals at public auction, in the streets, lanes, alleys, and commons of said city; and all ferries across the Ohio river from said city to the opposite shore; and to impose reasonable fines and penalties for the violation of any such laws and ordinances.

Sales of domestic animals to be regulated.

Ferries.

Fines.

City council may license taverns, &c.

Public shows.

And the said city council shall have full and exclusive power to grant or refuse license to tavern keepers, inn holders, retailers of spirituous liquors by a less quantity than a quart, keepers of ale and porter houses and shops, and all other houses of public entertainment, show men, keepers and managers of theatrical exhibitions, and all other exhibitions for money or other reward; auctioneers for the sale of horses and other domestic animals, at public auction, in the streets, lanes, alleys and commons of said city;

and keepers of ferries from said city across the Ohio river to the opposite shore; and in granting any such license, it shall be lawful for said city council to exact, demand and receive such sum or sums of money as they shall think fit and expedient, to annex thereto, such reasonable terms and conditions in regard to time, place, and other circumstances, under which such license shall be acted upon, and in their opinion the peace, quiet, and good order of society in said city may require; and for the violation of such reasonable terms and conditions as aforesaid, the mayor shall have power to revoke or suspend such license whenever the good order and welfare of said city may require it, in such manner as shall be provided for by ordinance.

SEC. 12. That the said city council shall have power, and they are hereby authorised to require and compel the abatement and removal of all nuisances within the limits of said city, under such regulations as shall be prescribed by ordinance; to cause all grounds therein where water shall at any time become stagnant, to be raised, filled up, or drained; and to cause all putrid substances, whether animal or vegetable, to be removed; and to effect these objects, the said city council may, from time to time, give order to the proprietor or proprietors, or to his or their agent, and to the non resident proprietors, who have no agent therein, by a publication in one or more of the newspapers printed in said city, for the period of six weeks, of all or any grounds, subject at any time to be covered with stagnant water, to fill up, raise, or drain such grounds at their own expense; and the said city council shall designate how high such grounds shall be filled up and raised, or in what manner they shall be drained, and fix some reasonable time for filling up, raising or draining the same; and if such proprietor or proprietors, or agent, shall refuse or neglect to fill up, raise or drain such grounds in such manner and within such time as the said city council shall have designated and fixed, they shall cause the same to be done at the expense of the city, and assess the amount of the expenses thereof on the lot or lots of ground so filled up, raised or drained as aforesaid, and place the assessment so made as aforesaid, in the hands of the city collector, who shall proceed to collect the same,

To abate nuisances.

To prevent stagnant water.

Penalty.

~~Lots subject to sale for penalty.~~ by a sale of such lot or lots, if not otherwise paid, in the same manner, with the same powers, and under the same regulations, and shall make good and sufficient deeds thereof to the purchaser, subject to the same rights of redemption by the proprietor or proprietors, their heirs or assigns, as the law prescribes, for the time, for the sale of lands for the non payment of state and county taxes; but no penalty for the non payment of any such tax or assessment shall exceed twenty-five per cent.

SEC. 13. The said city council shall cause the streets, lanes, alleys, public squares and commons of said city, to be kept open and in repair, and free from all kinds of nuisances, but it shall be lawful for them to continue any building or erection now standing thereon, if in their opinion the interest and general health of said city will not be injured thereby; they shall have the exclusive power of appointing supervisors, and other officers, of streets and of the highways within the said city, and of collecting in money or labor any sum not exceeding one dollar annually, as a road tax, from each and every person liable by law to pay such tax or to labor on the highways; they shall have power whenever the public

~~Animals may be prohibited from running at large.~~ convenience or safety shall require it, to prohibit hogs, cattle, horses, and any other description of animals from running at large in the streets, lanes, alleys, commons, and other public places in said city; they shall have power to license and regulate all

~~Wagons, &c., may be licensed.~~ carts, wagons, drays, and every description of two and four-wheeled carriages which may be kept in said city for hire; all livery stables, brokers' and loan offices, and to provide for the inspection, and the appointment of inspectors of all articles of domestic growth, produce or manufacture, which may be brought to said city, or sold or purchased therein for exportation, and not included in the inspection laws of the state.

SEC. 14. That to defray the current expenses of said city, the city council shall have power to levy and collect taxes on the real and personal property therein, as the same has been or shall be appraised and returned on the grand levy of the state: *Provided*, the amount of taxes levied as aforesaid, shall not in any one year, exceed one-fifth of one per centum on the aggregate value of taxable property in said

~~City council to levy and collect taxes.~~

city; they shall also have power, whenever in their opinion the interest of said city shall require it, to levy and collect taxes on dogs and other domestic animals, not included in the list of taxable property, for state and county purposes, nor the collection of which provided for in the thirty-seventh section of this act, which said taxes shall be collected by the city collector and paid into the treasury in the same manner, with the same powers and restrictions, and under the same regulations; and in all things as to the sale of real or personal property therefor, he shall act according to the provisions and requisitions of the law for the collection of taxes for state and county purposes. The city council shall have power to cause to be opened, paved, repaved, or improved, any street, lane, alley, market space, or public landing, on the petition of not less than two-thirds of the number of the owners of any section, square, or part of a square of said city, bounding or abutting on such street, lane, alley, market space, or public landing, so to be opened, paved, repaved or improved, and to levy and collect a special tax for defraying the costs or expenses of the same, by an equal assessment on the feet front bounding or abutting as aforesaid: and in like manner they shall have power to light the said city on petition as aforesaid, and to levy and collect a tax for that purpose in the same manner as is herein prescribed for opening, paving, repaving or improving streets, lanes, alleys, market spaces and public landings. The city council shall moreover have power, when two-thirds of the members elected shall deem it necessary, to assess annually in addition to the other taxes of said city, a tax of not more than two mills on the dollar, upon all property in said city, valued or appraised, and liable and subject to taxation for state and county purposes, for supplying said city or any portion thereof with a night watch: *Provided*, that no part of the tax collected by the provisions of this section for the purpose of supplying said city with a night watch, shall be applied for any other purpose whatever.

SEC. 15. That the said city council shall have power, when the public good shall require it, to erect a city prison, and to regulate the police or internal government of the same; that said city prison may contain cells for solitary confinement, and such appart-

Tax on dogs, &c.
Streets, &c. may
be opened.

Special taxes.

May light the
city.

Tax for night
watch.

City prison may
be erected.

CITY CHARTER.

ments as may be necessary for the safe keeping, accommodation and employment of all such persons as may be confined therein; that the said city council shall have power to pass all such ordinances as may be necessary for the apprehension and punishment of all common street beggars, common prostitutes, and persons disturbing the peace of said city, who upon conviction thereof before the mayor, in such manner as the said city council shall prescribe, may be fined in any sum not exceeding one hundred dollars, or be confined in the cells, or kept at hard labor in said city prison for any length of time not exceeding sixty days; that any person convicted before the mayor, under the provisions of this act, of any offence which by the laws of the state of Ohio, is punishable in whole or in part, by confinement in the county jail, may be confined in the cells of the city prison, for any time not exceeding that specified by the said laws of this state, for the punishment of such offences; or such person so convicted as aforesaid, may be kept at hard labor therein for said term of confinement: *Provided*, that no person who may be kept at hard labor therein shall be fed on bread and water only; nor shall any person be sentenced to pay a fine and also be fed on bread and water only; nor shall any person be confined to hard labor or kept on bread and water therein, for any offence made punishable by ordinance, which is not technically termed evil in itself; *and provided also*, that until such city prison shall be prepared for the reception of prisoners, the said city shall be allowed the use of the county jail of Hamilton county, for the confinement of all such persons as may be convicted before the mayor, and who shall be liable to imprisonment under the laws of this state, or the ordinances of said city; and all persons so imprisoned, shall be under the charge of the sheriff of said county, who shall receive and discharge such persons in and from said jail, in such manner as shall be prescribed by the ordinances of said city, or otherwise, by due course of law; and after the said city prison shall be erected and prepared for the reception of prisoners, the marshal of said city, in the control, government and management thereof, shall have the same power and authority, and be subject to the same liabilities as by the laws of this state now are or hereafter may be conferred and

Regulations of

Proviso.

City allowed use
of county jail.

imposed upon the sheriffs of the several counties in the control, government and management of the county jails, and all such other power and duties as the city council may prescribe, to enforce any sentence of hard labor pronounced against any person by the said mayor.

SEC. 16. That all moneys raised, recovered, received or collected, by means of any tax, license, penalty, fines, forfeiture or otherwise, under the authority of this act, or which may belong to said city, shall be paid into the city treasury, and shall not be drawn therefrom except by order or under the authority of the city council; and it shall be the duty of said city council to liquidate and settle all claims and demands against said city, and to require all officers, agents or other persons entrusted with the disbursement or expenditure of the public money, to account to them therefor, at such time and in such manner as they may direct; and they shall annually publish for the information of the citizens, a particular statement of the receipts and expenditures of all public moneys belonging to said city, and also of all debts due and owing to and from the same; and the said city council shall have power to pass all such laws and ordinances as may be necessary and proper to carry into effect the powers herein and by this act granted.

SEC. 17. That every law or ordinance of said city, before it shall be of any force or validity, or in any manner binding on the inhabitants thereof, or others, shall be agreed to and ordered to be engrossed for its final passage, by a majority of all the members of the city council; it shall then be reconsidered by the city council, and if on its final passage, it shall be adopted by a majority of all the members, it shall become a law for said city; and all questions on the engrossment or final passage of any law or ordinance, or the adoption of any resolutions, shall be taken and decided by yeas and nays, and the names of the persons voting for and against the same shall be entered on the journals of said council; and all laws and ordinances passed and adopted as aforesaid, shall be signed by the president of the council and the city clerk, and immediately published in one or more of the newspapers of said city.

SEC. 18. That there shall be elected by the qualified voters of said city, on the first Monday of April, ^{Treasurer and marshal to be elected biennially.}

CITY CHARTER.

biennially, a Treasurer, who shall hold his office for the term of two years, and until his successor shall be chosen and qualified; he shall perform such duties, and exercise such powers not herein and by this act specified, as may be lawfully required of him by the ordinances of said city; there shall also be elected by the qualified voters of said city on the first Monday of April, biennially, a city Marshal, who shall hold his office two years, and until his successor be chosen and qualified, who shall perform such duties and exercise such powers not herein specified, as may be lawfully required of him by the ordinances of said city, and shall receive such fees and compensation as the said city council shall direct. The said marshal

Duties of city
marshal.

shall execute and return all writs and other process, directed to him by the mayor, or when necessary in criminal cases, or for violation of the city ordinances, may serve the same in any part of Hamilton county; it shall be his duty to suppress all riots, disturbances and breaches of the peace, to apprehend all rioters, disorderly persons and disturbers of the public peace in said city, and all persons in the act of committing any indictable offence against the laws of this state or ordinances of said city, or fleeing from justice, after having committed any such offence, and him, her or them, forthwith to take into custody, and bring before the mayor for examination; and in case of his resistance, may call to his aid, and command the assistance of all bystanders and others in the vicinity; he shall have power to appoint one or more deputies, and at pleasure to dismiss or discharge them from office, and shall in all things be responsible for the correct and faithful discharge of their duties, and liable for all negligence, carelessness and misconduct in office and positive violations of duty, which they or either of them may be guilty of, in the performance of their official duties.

Jurors to be ap-
portioned agree-
ably to wards.

SEC. 19. That the clerk of the court of common pleas for the county of Hamilton, in directing the number of jurors for the township of Cincinnati, shall hereafter apportion the same agreeably to the wards within the said city; and it is hereby made the duty of the trustees of said wards, on the second Tuesday of October, in every year, to select the jurors so apportioned, and to make return of the same in the same manner as is or may be by law required of township trustees.

SEC. 20. That the mayor, marshal, treasurer, city clerk, and all other officers under the government of said city, shall, before entering on the duties of their respective offices, take an oath or affirmation to support the constitution of the United States, and of this state, and faithfully and impartially to perform the several duties of the office to which they may be respectively elected or appointed, and when required, shall give such bond to said city, with good and sufficient security, in such sum or sums, and with such conditions thereto, as the city council may from time to time direct; and in all cases not herein before provided for, shall respectively be allowed and receive such fees and compensation for their services, and be liable to such fines, penalties and forfeitures, for negligence, carelessness, misconduct in office, and positive violation of duty, as the said city council shall by ordinance, order and determine.

SEC. 21. That whenever the office of mayor, councilman, marshal, treasurer, city clerk, or other officer, in and by this act specified or provided for, shall become vacant by death, resignation, removal from the city, or otherwise, it shall be the duty of the council, as soon as may be, to appoint some suitable person having the requisite qualifications, to fill such vacancy, and the person so appointed shall continue in office during the remainder of the term for which his predecessor was elected or appointed; and in case of sickness or temporary absence of the mayor, the city council shall appoint some suitable person to perform the duties of that office, during such sickness or temporary absence, who shall be obeyed and respected accordingly: *Provided*, that no appointment to office shall be made by the city council under this act, of any officer or agent of said city, or to fill any vacancy thereof, without the concurrent vote of a majority of all the members; and the names of the persons voting for or against such appointment, shall be entered on the journals of the council.

SEC. 22. That in all elections for city officers, it shall be the duty of the mayor to issue a proclamation to the qualified voters of said city, or to those of the respective wards, as the case may require, setting forth the time of such elections, the place or places where the same shall be held, the officer or officers to be chosen, and cause such proclamation to be pub-

Oath and bonds
of officers.

Vacancies how
filled.

Proviso.

Mayor to issue
proclamations
for elections.

CITY CHARTER.

Elections conducted.

lished in two of the newspapers printed in said city, at least ten days previous to such election; and every such election shall be opened between the hours of eight and ten o'clock in the forenoon, and continue open until four o'clock in the afternoon, and shall in all things be conducted agreeably to the laws regulating township elections for the time being; and it shall be the duty of the judges of such elections in the several wards, within two days thereafter, to make and direct the returns thereof to the mayor of the said city, at his office, in the same manner that election returns are required to be made to the clerk of the court of common pleas, by the act entitled "an act to regulate elections:" *Provided*, that in all elections for mayor, the returns thereof shall be made and directed to the president of the city council; and the said mayor, or the president of the city council, as the case may be, shall, within five days after any such election, open the returns which have been made to him as aforesaid, and shall make an abstract of all the votes, and file the same with the city clerk, who shall make a record thereof in a book to be kept by him for that purpose; and the person or persons having the highest number of votes, shall be declared duly elected; but if from any cause, the qualified voters of said

Proviso when no election is made, for holding another.

city, or of the respective wards, as the case may be, should fail to effect any election at the time and in the manner herein provided, the mayor shall forthwith issue his proclamation for a second or other election, which in all things shall be notified, conducted, regulated, and the returns thereof made, as in and by this act is prescribed, and the person or persons who shall be chosen at any such second or other election, shall hold his or their office, until the next stated period for the choice of a successor or successors; and it shall be the duty of the mayor or the president of the city council, immediately to notify such person

Notice to be given to persons elected, to qualify in ten days.

or persons as may be elected as aforesaid, of his or their election, by causing a written notice thereof to be served upon him or them, by the city marshal or his deputy; and every person so chosen or elected as aforesaid, shall, within ten days after his election, cause himself to be qualified to enter upon the duties of his office, and in default thereof, the office to which he shall have been elected, shall be deemed and considered in law to be vacant; and it shall be the duty

of the city council to prescribe the time and manner, and provide the place or places of holding all elections in said city, for city officers, and of making the returns thereof, not herein otherwise directed and prescribed.

SEC. 23. That each and every white male inhabitant above the age of twenty-one years, having the qualification of an elector, for members of the General Assembly of the state of Ohio, and having resided in said city one year next preceding any election for city officers, shall be deemed a qualified voter of said city, and shall be entitled to vote in the ward in which he resides, for mayor, councilmen, treasurer, and such other officer or officers as in and by this act are directed to be chosen by the qualified voters of said city, or of the respective wards therein; and all others which by public ordinance may be required to be chosen or elected: *Provided*, that no person shall be capable of holding any office under the government of said city, who has not resided therein and been an inhabitant thereof, at least one year next preceding his election or appointment: *and provided also*, that no person shall be eligible to the office of mayor, marshal, or treasurer of said city, who shall not have resided in said city, and been an inhabitant thereof, three years next preceding his election or appointment.

SEC. 24. The city council, two-thirds of all the members elected concurring therein, shall have power to borrow for the discharge and liquidation of the present unfunded and floating debt of the city, the sum of eighty thousand dollars, in addition to the permanent loans already made or authorised, to provide for the redemption of the same and the payment of the interest thereon, and to pledge the property and revenues of the city therefor, in such manner and upon such terms and conditions, as by ordinance, voted for by two-thirds of the members elected as aforesaid, may be prescribed: *Provided*, that if the said city council shall not by ordinance appropriate and set apart any specific revenues of said city, for the payment of said interest, it is hereby made their duty, and they are hereby required to levy and collect a tax annually upon the real and personal property of said city, as the same has been or shall be appraised and returned on the grand levy of the state,

Qualifications of electors.

Further proviso

City debt may be funded.

Proviso.

CITY CHARTER.

in addition to the other city taxes now authorised to be levied and collected, sufficient in amount to pay the said interest.

**Contracts by
council confined
to current fiscal
year.**

SEC. 25. It shall not be lawful for the city council to make or authorise any contract by ordinance or otherwise, for the payment of money at any day beyond the current fiscal year, in which such contract is made, except as provided in the preceding section. Nor shall it be lawful for said city council to contract or authorise any loan except as herein before excepted, not predicated upon the revenues of the current fiscal year in which such loan is made. If any city council shall contract or authorise a debt or loan in either of the cases specified, contrary to the provisions of this section, every such contract is hereby declared illegal and void as against the property and revenues of the city, and of full force and obligation against the separate private estates of every member of the city council who was present in council when such debt or loan was contracted or authorised, and who did not record his vote against the same, and forthwith make known the fact through some newspaper of general circulation in the city. And the holder of every debt or loan so as aforesaid contracted, shall have, and is hereby authorised and empowered to resort to his present personal remedy in an action on the case against the whole number, against any one, or any intermediate number of the members of the council hereby made liable for the same.

**Constables, how
elected.**

SEC. 26. From and after the taking effect of this act, no constable shall be elected for Cincinnati township, in the county of Hamilton, the limits thereof being the same as the city of Cincinnati; but the city council shall direct the election of constables, and declare the number to be elected, which election shall be held at the same time and place, and by the same electors, when, where, and by whom the members of the city council are elected; the bonds to be given by constables, with the amount and character of the security, shall be decided by the city council, and filed with the city clerk, but shall be made payable to the state of Ohio; and the city council shall hereafter direct the time and place of holding elections for justice of the peace within and for said township.

Bonds of

**Justices of the
peace.**

SEC. 27. Whenever the city council shall propose

to the city electors, by ordinance for that purpose enacted and published, the establishment of a first branch of the city council, to be composed of two members from each ward, to be elected for the term of two years, to be denominated the first branch of the city council, and a majority of the votes taken upon such proposition is in favor of such additional branch, it shall be lawful for the city council to provide for the election and organization of such branch, which, when elected and organized, shall become a constituent part of the city council, with concurrent power to originate any measure, and thenceforth no ordinance, resolution, or order, shall be of any effect, without the concurrent consent of both branches.

SEC. 28. That the mayor, trustees, marshal, treasurer, and other officers of said city, now in office therein, shall remain and continue in their respective offices, and perform the several duties thereof, under the provisions of this act, until the time shall expire for which they shall have been elected, and until their successors shall be chosen, or appointed and qualified; and all laws, ordinances and resolutions, heretofore lawfully passed and adopted by the city council of said city, shall be, remain, and continue in force, until altered or repealed by the city council established by this act: *Provided*, that nothing in this act shall be so construed as to restrain or prevent the General Assembly from altering or amending the same whenever they shall deem it expedient.

SEC. 29. That the city council of said city be, and they are hereby authorised and required, at the expense of said city, to provide for the support of common schools therein; and for such purpose, shall, by an ordinance to that effect, cause the said city to be divided by territorial limits and bounds, into school districts, two in each ward, in such manner as shall be most convenient, having due regard to the present and future population of each; and may, from time to time, make such alterations of the limits and boundaries thereof, as shall more effectually secure to each district equal advantages and accommodations for the education of all the children therein; any law, usage, or custom to the contrary notwithstanding: *Provided*, that no district shall, at any time, be formed of parts of any two wards.

SEC. 30. That the city council be, and they are

To provide for a
first branch of the
city council.

Present officers
to continue until
others are elect-
ed.

Proviso.

Common schools

School lots may hereby authorised and required to purchase in fee
be purchased or
donated.

simple, or to receive as a donation, for the use of said city, and at the expense of the same, in each of said school districts, a suitable lot of land in some central and convenient situation, as a site for a school house therein, and at any time thereafter to cause to be erected thereon a good and substantial school house, the walls of which to be composed entirely of brick or stone and mortar, with a cellar under the whole, to be two stories high, containing no less than two school rooms therein, and of such dimensions and capacity as shall be proper and convenient for the use of common schools in said city; and to defray the necessary expenses of the building and construction of said school houses, as also to pay the purchase money for the lots of land on which the same shall be erected, it shall be lawful, and it is hereby made the duty of said city council, annually to levy, or cause to be levied, in addition to the other taxes of said city, a tax of one mill on the dollar upon all property in said city, valued or appraised and liable and subject to taxation for state and county purposes, until a sufficient sum shall be raised and collected from such tax to meet all the expenses which shall be incurred for the purchase of lots of land, and for the erection of the school houses aforesaid:

Provided, it shall be lawful for said city to borrow such sum or sums of money, at a rate of interest not exceeding six per cent. per annum, as may be sufficient and necessary for the purchase as aforesaid, and to refund or pay the same as the tax aforesaid shall be collected; and the said tax is hereby made a special and inconvertible fund for that purpose.

SEC. 31. That for the purpose of more effectually supporting common schools in said city, and to secure the benefits and blessings of an education to all the children therein, it shall be the duty of said city council, annually, to levy, or cause to be levied and collected, a tax of one mill on the dollar, in addition to such tax as may be levied by or under the authority of the state for that purpose, upon all the property in said city, valued and appraised, and liable and subject to taxation for state and county purposes; which tax, together with such as may be levied and collected in the township of Cincinnati for such purpose, shall be exclusively appropriated to defray the

Tax for payment
of teachers, &c.

expenses of teachers and fuel for said schools, and for no other purpose whatever: *Provided*, that said schools, in the several districts of said city, shall at all times be equally free and accessible to all children, not less than six years old, who may reside therein, and subject only to such regulations for their government and instruction as the trustees herein after mentioned may from time to time prescribe: *Provided, also*, that nothing in this act contained shall be so construed as to permit black or mulatto persons to attend said schools, or either of them, or to receive instruction therein; but all taxes assessed on the property of black or mulatto persons in said city, or in the township of Cincinnati, for school purposes, shall be appropriated as the trustees and visitors hereinafter mentioned may direct, for the education of black or mulatto persons in said city, and for no other purpose whatever.

Proviso as to
black and mulat-
to persons.

Sec. 32. That the qualified voters of each ward in said city, annually, shall elect one judicious and competent person, having the qualifications of a councilman for such ward, as a trustee and visitor of common schools in said city; which trustees and visitors, elected as aforesaid, shall constitute and be denominated "the board of trustees and visitors of common schools in Cincinnati," who shall hold their office for one year and until their successors shall be chosen and qualified, and fill all vacancies that may occur in their own body during the time for which they shall be elected; they shall have the general superintendence of all the common schools in said city, Duties of and, from time to time, make such regulations for the government and instruction of the children therein, as to them shall appear proper and expedient; they shall appoint and employ the teachers and instructors for the same, and visit each and every such school as often as once in every month; they shall cause at least one school to be kept in each ward for the term of six months in each year, between the fifteenth day of March and the fifteenth day of October, by some competent female teacher, for the instruction of children under twelve years of age, in reading, spelling, writing and arithmetic; they shall in the month of March, annually, cause an accurate census to be taken of all children residing in the several districts, between the ages of six and six-

CITY CHARTER.

To certify ac-
counts.

teen years, and require the several teachers and instructors thereof to keep a record of the names and ages of all persons by them respectively instructed, and the time each shall have attended said school, and return such record or copy to the board of trustees and visitors at the close of each and every current year; they shall certify to the city council, the correctness of all accounts for expenses incurred in the support of said schools, and within one year next succeeding such employment as teachers, give certificates thereof to the persons entitled to receive payment for the same; they shall, at the close of every current year, report to the city council the state and condition of the several common schools in said city, as well the fiscal as the other concerns in relation thereto, and a particular account of their administration thereof; and generally do and perform all other matters and things pertaining to the duties of their said office, which may be necessary and proper to be done, to promote the education and morals of the children instructed in said school, or which may be required of them by the ordinances of said city, not inconsistent with the provisions of this act: *Pro-*
vided, that no person shall be employed as a teacher or instructor in any of said schools, until he or she shall have been first examined by the board of examiners and inspectors hereafter mentioned, and have obtained from said board a certificate of qualifications, as to his or her competency and moral character; and nothing in this act shall be so construed as to prevent children under twelve years of age from attending any other of said schools, within their respective districts, than such as may be taught by female teachers.

Teachers to be
examined.

School fund reg-
ulated.

SEC. 33. That all moneys heretofore levied and collected in the city of Cincinnati, for the use of common schools therein, and remaining on hand and unexpended in the hands of the city treasurer, or any other person or persons, shall be paid over to and held by the city treasurers; and all moneys hereafter levied and collected in said city, in the township of Cincinnati, for the support of common schools, as also all other moneys appropriated by law for the use of schools therein, shall be paid into the city treasury, which moneys shall be kept in the city treasury as a separate and distinct fund, and the same shall not be applied, under any pretence whatever, to any

other use than that for which it is levied and collected; and a separate and particular account of the receipts and expenditures thereof, shall be kept by the treasurer, in a book to be provided for that purpose; and the said treasurer shall not be entitled to receive any per centage, premium, or other compensation, for receiving and paying out the same, and for keeping the accounts thereof.

SEC. 34. That it shall be the duty of the city council to appoint seven persons, residents and citizens of said city, of competent learning and abilities, as examiners and inspectors of said schools, and of the qualifications of the teachers thereof; which examiners and inspectors shall constitute and be denominated "the board of examiners and inspectors of common schools in Cincinnati," who shall hold their office for the term of three years; and the vacancies which may occur in said board shall be filled for the time being, by the city council; it shall be the duty of said board of examiners and inspectors, to examine the ^{Duties of} qualifications, competency and moral character, of all persons desirous of becoming teachers and instructors in said schools, or any of them, four of whom can grant certificates thereof to such as, in their opinion, may be entitled to receive the same; they shall, from time to time, and as often as they may deem proper, strictly examine all said schools, the discipline and course of instruction in each, the conduct of the several instructors and teachers therein, and the progress of improvement by the students and pupils thereof; and shall make report of all their proceedings, and of all matters pertaining to the duties of their said office, as often as once in three months to the city council; and also to the board of trustees and visitors, such alterations and improvements in the government, discipline, and instruction of said schools, and in the administration of the affairs of the same, as, in their judgment, will more effectually advance the cause of education and good morals therein, and promote the objects contemplated by this act.

SEC. 35. That the said city council shall fix by ordinance the commencement and termination of the current year of said common schools, and determine the times and duration of all vacations thereof, which shall be the same throughout said city; they shall provide for an annual examination of all said schools,

<sup>Examiners and
inspectors of
schools to be ap-
pointed by coun-
cil for three years</sup>

<sup>Commencement
and termination
of current year
to be fixed by
council.</sup>

Premiums.

at the close of the current year, by the mayor, the several boards of trustees and examiners, and such committees from their own body as they shall appoint; and they are hereby authorised and empowered to appropriate, annually, from the funds of said city, the sum of one hundred dollars, to be expended in premiums to those scholars who may have made the greatest improvement and proficiency in learning in said schools; which premiums, either in suitable books or medals, shall be awarded and presented by the mayor and the boards of trustees and examiners; but no premium or medal shall exceed the value of five dollars.

School houses & lots the property of city.

Proviso.

SEC. 36. That all school houses, erected in any of the school districts heretofore laid off and established in said city, together with the lots of land on which the same may be situated, or such interest or estate therein as may have vested in such district or districts, or in the directors thereof, for the use of such district or districts, shall be vested in, and become the property of said city, to all intents and purposes whatsoever: *Provided*, that the city council may, at their discretion, or at any time previous to the erection of the school houses, as provided for in this act, lease on such terms and conditions as they may think proper, in the several school districts of said city, and for such time only as they shall deem necessary, convenient buildings for the use of common schools therein, to be occupied as such no longer than until said school houses shall be erected and prepared for the reception of such schools.

Compensation to members of city council.

SEC. 37. That the said city council are hereby authorised and required to pass all ordinances necessary and proper to carry into effect the preceding provisions of this act; to grant by ordinance such compensation to the members of their own body as shall be approved by a vote of not less than two thirds of all the members elected, not exceeding one dollar to each member for every regular or special meeting of the whole board, and such other compensation for special services as may be deemed just and proper, and by a like vote be approved; and they are also

City council to certify the percentage levied on city property, to the auditor of Hamilton county, to be certified to the Auditor of Hamilton county, on or before the second Monday of June, annually, the per centage by them levied upon all property in said city,

valued or appraised, and liable and subject to taxation for state and county purposes, corporation, school house, and school taxes; and the said county auditor is hereby authorised and directed to place the same on the duplicate of taxes for said county, in the same manner as township taxes now by law are placed on such duplicate; which said city taxes shall be collected by the county treasurer of said county, and paid into the city treasury in the same manner, with the same power and restrictions, and under the same regulations, and in all things, as to the sale of real or personal property therefor, he shall be authorised, and he is hereby required, to act according to the provisions and requisitions of the law for the collection of taxes for state and county purposes: *Provided*, that the said county auditor shall be entitled to receive from said city the sum of fifty dollars annually, for his services under this section; and the said county treasurer shall be entitled to charge and receive the same fees on all moneys by him collected and paid into the city treasury, of the city taxes as aforesaid, as he is by law entitled to receive for collecting and paying out moneys for state and county purposes.

City taxes to be
paid into the city
treasury.

Proviso.

SEC. 38. It shall be the duty of the city council, annually, to appoint port wardens for the port of Cincinnati, whose residence shall be within the city, and who shall hold their office for the term of one year, and until their successors shall be duly appointed and qualified: every port warden, on entering upon the duties of his office, shall be first qualified before the mayor of said city, and shall receive from him a certificate of such appointment and qualifications. It shall be the duty of such warden, on the application of any person, to repair on board of any boat, barge or craft, navigating the river, and landing within the limits of Cincinnati, and to examine the condition of such boat, barge or craft, and also the condition of any cargo laden on board the same. In like manner it shall be his duty to attend at the landing or unloading of any boat, barge or craft, for the purpose of examining and surveying the condition and storage of the cargo or lading on board. He shall keep a fair record of all examinations and surveys, and of his proceedings generally, in the performance of his office, and give certified copies thereof,

Port wardens:

Duties of

under his hand and seal, to any person applying for the same; and all such copies shall be deemed *prima facie* evidence of the facts therein duly stated; and he shall receive for his services such fees, in such manner as the said council from time to time shall direct. On the discharging of a cargo from any boat, barge, or craft, under the provisions of this section, the receiving or taking away of the same by the consignee thereof, without objections being first duly made on the part of such consignee, touching the condition of such cargo, shall be deemed *prima facie* evidence of the same good order and condition of the cargo as when landed; but the consignee of such cargo, or part thereof, as the case may be, may, within twelve hours after receiving the same, allege damages; in which case notice shall be given to the captain, or agent of the boat, barge, or craft, who shall select one competent person, and the consignee aforesaid shall select another competent person, who, together with the port wardens, shall assess the damages, if any, and their award shall be final and binding upon the parties interested.

This charter
public act.

Sec. 39. That this act shall be taken and received in all courts, and by all judges, magistrates, and other public officers, as a public act, and all printed copies of the same, which shall be printed by or under the authority of the General Assembly, shall be admitted as good evidence thereof, without any other proof whatever.

Sec. 40. That the act entitled "an act to incorporate and establish the city of Cincinnati, and for revising and repealing all laws and parts of laws heretofore enacted on that subject," passed the 26th day of January, 1827, and all other laws and parts of laws theretofore passed and coming within the perview of this act, be, and the same are hereby repealed.

JOHN H. KEITH,
Speaker of the House of Representatives.

DAVID T. DISNEY,
Speaker of the Senate.

March 1, 1834.

ASSESSOR.

(See Road and Dog Tax.)

BATHING.

An ordinance preventing Bathing in the Ohio river in the day time.

SEC. 1. *Be it, and it is hereby ordained,* That no person shall be allowed to go into the river to bathe in front of the city of Cincinnati, within the corporation line on the east, and the levee at the west end of said city, after sunrise until one hour after sunset; under the penalty of five dollars, to be recovered before the mayor, with costs of prosecution.

SEC. 2. *And be it further ordained,* That it shall be, and it is hereby made the duty of the city marshal and wharf master and health officer, for the said district, to return all persons who shall infringe upon any of the provisions or restrictions of this ordinance, to the mayor for prosecution; and for such services, they shall receive such compensation as the city council may direct.

Passed 7th of June, 1826.

An ordinance to prevent Bathing in the Miami Canal within the corporate limits of the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person to go into the Miami canal, within the corporate limits of the city of Cincinnati, or into any dock, basin, or branch of the same, for the purpose of bathing or swimming therein; and any person offending against the provisions of this ordinance, upon conviction thereof before the mayor of the city, shall be fined in a sum not exceeding ten dollars, with costs of prosecution.

Passed 4th of June, 1828.

An ordinance further to amend the ordinance entitled "An ordinance preventing Bathing in the Ohio river in the day time." Passed June 7th, A. D. 1826.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That if any person shall at any time hereafter, go into the Ohio river to bathe, in front of the public common, or in front of any of the public landings of said city, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding five dollars, nor less than one dollar, with costs of prosecution.

Passed 2d of July, 1828.

BOARD OF HEALTH.

An ordinance to establish a Board of Health for the city of Cincinnati.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That there shall be, and hereby is established, a Board of Health, for the city of Cincinnati, consisting of seven members, who shall hold their office for one year, and until their successors shall be appointed; they shall serve without compensation or emolument, and shall be immediately appointed by the city council; and in case of removal, death, sickness, resignation, inability, or refusal to serve, of any of the said board, their places shall be immediately supplied by other appointments, to be made by the city council. A majority of the whole number of the board of health shall be necessary to constitute a quorum for the transaction of business: they shall meet at some convenient place in said city, forthwith after receiving notice of their appointment; and as often thereafter as they shall deem necessary; they shall elect from their own body a President, who shall preside at their meetings, and a Secretary, who shall keep a journal of their proceedings; and the president and secretary so appointed, shall hold their offices for such period of time, and shall perform such duties respectively, as the said board of health may prescribe.

SEC. 2. Be it further ordained, That the board of health hereby established, shall have power, whenever they may deem it necessary, for the security of the city, to take the most prompt and efficient measures to prevent the introduction of contagious, malignant, dangerous and infectious diseases, into said city, and for the immediate and safe removal of any person or persons, who

may be found therein, infected with any such disease: and it is hereby enjoined upon the mayor, marshal, wharf masters, and all other officers of the city, to be attentive and vigilant in assisting the board of health in the execution of their duties.

SEC. 3. *Be it further ordained,* That it shall be the duty of the said board of health, from time to time, to recommend to the city council, such measures as the said board may deem necessary, to promote and secure the health of the said city, and to prevent the introduction of contagious, malignant, dangerous and infectious diseases: and to report to the city council all expenses which may be incurred in discharge of the duties aforesaid; and the said board of health shall exercise such other powers, and discharge such other duties as the city council may prescribe.

SEC. 4. *Be it further ordained,* That if any person or persons, shall at any time hereafter, knowingly introduce, or aid or assist in introducing the small pox, yellow fever, or other contagious disease into this city, or shall possess any knowledge of any person laboring under any such disease being within the city, without forthwith giving notice thereof to the mayor, or president of the board of health, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay a sum not exceeding one thousand dollars, nor less than one hundred dollars, with costs of prosecution.

Passed 25th of June, 1832.

An ordinance requiring reports of diseases in certain cases.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati,* That for the purpose of guarding against the clandestine introduction of any malignant or infectious disease, it shall hereafter be the duty of all physicians, commanders of steam and canal boats, and all keepers of boarding houses, taverns, and coffee houses, to report in writing to the city clerk, without delay, every case (including the name and residence,) which may come to their knowledge, of the spasmodic cholera, or any malignant or unusual disease occurring, or existing within the limits or vicinity of said city, and every person refusing, or wilfully neglecting to give notice as aforesaid, of any such disease, within twelve hours after obtaining a knowledge thereof, shall, on conviction thereof before the mayor, forfeit and pay to the city any sum not exceeding twenty dollars, nor less than five dollars, with costs of prosecution.

Passed 14th of July, 1832.

BONDS OF OFFICERS.

An ordinance requiring Bonds to be given by certain Officers therein named.

Sec. 1. Be it and it is hereby ordained by the City Council of the city of Cincinnati, That the treasurer of said city shall, within ten days after his election, and before he enters upon the duties of his office, give bond to the "city of Cincinnati," in the penal sum of twenty thousand dollars, with at least two responsible sureties, residents of said city, to be approved of by the city council, which said bond shall be conditioned, that he, the said treasurer, shall receive and safely keep for the use of said city, all moneys paid into the city treasury, and shall well and truly account for and pay over the same, at such times and in such manner as the said city council may direct; and that he, the said city treasurer, shall, at the expiration of his said appointment, deliver over to his successor in office, or such other person as the said city council shall designate for that purpose, all books, papers, accounts, and vouchers in his hands, the property of said city, and pay over to his said successor, or such other persons to be designated as aforesaid, all moneys remaining in his hands, from the receipts of his said office, during his continuance therein, which may be then due the said city; and further, to perform all and singular the duties that the city council may from time to time prescribe; which said bond, when approved by the said city council, shall be deposited with the clerk of said city, who shall file the same.

Sec. 2. Be it further ordained by the City Council of said city, That the marshal of said city shall, within ten days after his election, and before he enters upon the duties of his office, give bond to the said city, in the penal sum of five thousand dollars, with at least two responsible sureties, residents of said city, to be approved by the city council, which said bond shall be conditioned that the said marshal shall well and truly pay over to the person or persons entitled to receive the same, all moneys that may be collected or received by him, on process directed to him from the city court of said city of Cincinnati, or the mayor of said city, and shall also well and faithfully perform all and singular the duties now required, or which during the term of his office, shall be required of him to be performed by the laws of this state, or the ordinances of the city council; which said bond shall be deposited, when the same is approved by the city council, with the clerk of the city court, who shall file the same; and may be prosecuted upon, by any person or persons, injured by

the acts of said marshal, in the same manner that the bonds of sheriffs are sued upon, under the laws of this state.

Passed 11th of April, 1827.

BRIDGE.

An ordinance to prohibit horses from being drove or rode on the Bridge across Deer creek, at its junction with the Ohio river, faster than an ordinary walk.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati, and it is hereby ordained,* That no person or persons shall run, gallop, or pace any horse, or mare, foal, or gelding, before any wagon, cart, dray, coach, or otherwise, on the bridge across Deer creek, at its junction with the Ohio river, in the city of Cincinnati: and if any person or persons do or shall run, or gallop, trot or pace, any horse, or mare, foal, or gelding, before any vehicle, or otherwise, on said bridge, shall forfeit and pay as a fine for each offence, on conviction thereof before the mayor, any sum not exceeding ten dollars.

Passed 3d of December, 1823.

CITY CLERK.

An ordinance prescribing the duties of City Clerk.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the city clerk shall attend at the clerk's office, council chamber, every day, (Sunday excepted), from 8 A. M. to 12 M., and from 2 to 5 o'clock, P. M., and at such other hours as a faithful discharge of his duties may require, and he shall receive such compensation for his services as the city council shall think just and proper.

SEC. 2. *Be it further ordained,* That it shall be the duty of the city clerk, immediately after the adjournment of each meeting of the city council, to draw orders upon the city treasurer for all appropriations made by the city council.

SEC. 3. *Be it further ordained,* That the city clerk shall keep account of all receipts and disbursements of money, funds, and revenue of said city, in convenient books, in which shall be opened and kept in a proper manner, a general account of all the receipts and disbursements of the city, and a particular personal account with each individual receiving any contract, or performing any public work, giving each credit for the amount of each contract or other work performed, and charging them with the amount of all orders issued in their favor, noting the

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particular contract, public work, or account for which every such appropriation shall have been made; all which accounts shall be entered before the orders shall be delivered to the persons for whose use the same shall have been issued.

SEC. 4. *Be it further ordained,* That the weekly reports of the street commissioner, wharf masters, and treasurer, and all accounts and claims against the city, shall be presented to the city clerk, on Monday of each week, and by him examined and submitted to the committee of claims, and the city clerk, shall, on or before the first day of April, of each year, make out a particular statement of all the receipts and expenditures of all money belonging to the city, of all debts due and owing to and from the same up to the 20th day of March, and on the third Tuesday of April, annually, he shall make out and submit to the committee of claims, an estimated statement of the amount of the necessary expenditure for city purposes, for the coming year.

SEC. 5. *Be it further ordained,* That the city clerk shall be allowed to charge for making out a certificate of the grant of any license by the city council, fifty cents.

Passed 17th of December, 1834.

CITY COLLECTOR.

(See Road and Dog Tax.)

COMMITTEE OF CLAIMS.

An ordinance for the appointment of Committee of Claims, and defining their duties.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That at the first regular meeting of the city council after the new board shall have been organized in April of each year, there shall be appointed a standing committee, consisting of three members, to be denominated the committee on claims, and the said committee shall meet at the clerk's office, council chamber, on Tuesday in each week, to attend to the duties hereafter named, and such others as may be assigned to them by the city council.

SEC. 2. *Be it further ordained,* That it shall be the duty of the committee of claims, to examine the reports of the street commissioners and treasurer; to audit all accounts and claims against the city, and report the same to the city council; to examine into the state of the funds in the treasury, and report thereon to the board at their first stated meeting in June, Sep-

tember, December and March; to see that fines, and other monies due from the mayor, collectors, wharf masters, and others are correctly accounted for, and paid into the treasury, and they shall, on or before the first Monday of April, in each year, settle the street commissioners accounts, requiring vouchers for all money disbursed by them.

SEC. 3. *Be it further ordained,* That it shall be their duty to report to the city council, at their last meeting in April, of each year, an estimate of the revenue, and of the permanent expenditures necessary for the succeeding year, classing and designating the expenditures under such distinct head as will enable the board to make the necessary special appropriation to meet such expenditure.

SEC. 4. *Be it further ordained,* That it shall be their further duty, to report to the board at their last meeting in March, annually, the amount due each member for services as member of the city council, allowing each one dollar for each and every meeting of said board, at which they were present.

Passed 10th of December, 1834.

COMMISSIONERS.

(See Street Commissioners.)

COMMON SCHOOLS.

An ordinance to divide the city of Cincinnati into ten School Districts, and to provide for the regulation and support of Common Schools therein.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That so much of the first ward of said city as lies north of seventh street, shall compose the first district; and so much of said ward as lies south of said street, shall compose the second district: so much of the third ward of said city as lies east of Butler street, shall compose the third district; and so much of said ward as lies west of said street, shall compose the fourth district: so much of the fourth ward as lies east of Plum street, shall compose the fifth district; and so much of said ward as lies west of said street, shall compose the sixth district: so much of the second ward as lies east of Plum street, shall compose the seventh district; and so much of said ward as lies west of said street, shall compose the eighth district: so much of the fifth ward of said city as lies east of Plum street, shall compose the ninth district; and so much of said ward as lies west of said street, shall compose the tenth district.

SEC. 2. *Be it further ordained,* That it shall be the duty of the city treasurer to keep a particular account of the receipts and expenditures of all moneys received into, and paid out of the city treasury, for the support, and to defray the expenses of common schools: and the said treasurer shall keep a separate account of all moneys received and paid out for tuition, fire wood, and the incidental expenses of the several schools; and also a separate account of all moneys received and paid out for the purchase of lots on which to erect school houses, the expenses of building school houses, for the rent of school rooms, and for benches, seats, and furniture for the same, stating the particular ward in which such expense accrued: and the said city treasurer shall not pay out any part of the funds received for school purposes, except on orders specially drawn upon such funds for school purposes: and further, the said treasurer shall not hereafter pay out any part of the funds collected for the purpose of purchasing lots, and for the erection of school houses thereon, except for the objects specified in the 2d section of the act in addition to the act to incorporate and establish the city of Cincinnati.

SEC. 3. *Be it further ordained,* That it shall be the duty of the city clerk, to make special entries of all accounts audited and allowed by the city council, and of all orders drawn by him on the city treasurer for school purposes, in a set of books to be by him kept for that purpose, in which he shall specify and keep separate all accounts allowed, and orders drawn for tuition, fuel, and the incidental expenses of the several schools, and the ward in which such expenses accrued; and also all claims allowed, and orders drawn to defray the expenses of purchasing such lots, of building such school houses, for the rent of school rooms, and for the seats, benches, and furniture of the several school rooms, specifying, as before directed, the ward in which the expenses accrued. And in all orders drawn upon the city treasurer, the city clerk shall particularly specify, as aforesaid, for what account the said orders are drawn, and the ward in which the said expense accrued. And the said city clerk shall furnish the treasurer with a statement of all moneys heretofore drawn out of the treasury, and on what account, and for what ward the same were drawn. And it shall be the further duty of the city clerk, to attend the meetings of the board of trustees and visitors of common schools, to be held at the council chamber, and to keep a record of their proceedings, as by them directed.

SEC. 4. *Be it further ordained,* That it shall hereafter be the duty of the trustees and visitors of common schools to meet at the council chamber, once in each week, for the purpose of attending to the duties assigned them, by the charter, and such

other duties as the city council may prescribe, at which meetings the city clerk shall attend, and officiate as before provided; and it is hereby made the duty of said trustees and visitors to provide the fuel, seats, benches, and furniture necessary for the common schools, and to rent such school rooms as they shall deem necessary and expedient, and to report to the city council full and particular weekly and quarterly accounts of all expenses incurred in the discharge of their duties. And to defray the expenses of teaching, fuel, &c., for said schools, the city council shall from time to time appropriate from the proper fund, such sums of money as may be required by said trustees and visitors: *Provided*, That the said trustees and visitors strictly limit the quarterly expenses of the current year of the said common schools to the quarterly amount of revenue collected yearly by law, for the support and maintenance of said schools. And it is hereby made the duty of said trustees and visitors to have one school only, without obtaining the concurrence of the city council, kept in each district, for the term of six months, in each year, between the fifteenth day of March and fifteenth day of October, some competent and suitable female teacher, according to the provisions of the fifth section of the act in addition to the act to incorporate and establish the city of Cincinnati. And it is hereby made the further duty of said trustees and visitors, to report to the city council, in which of the several wards of said city, school houses ought to be first built, and the form, dimensions, and plan in which the same should be constructed.

Passed 3d of February, 1830.

An ordinance to amend an ordinance entitled "An ordinance to divide the city of Cincinnati into ten Districts, and to provide for the regulation and support of Common Schools therein.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati,* That hereafter the current year of the common schools of Cincinnati, shall commence annually on the first day of July, and terminate on the last day of June: and the term of office of each successive board of trustees and visitors of said schools shall hereafter commence on the first day of July next succeeding their election, and terminate at the end of one year thereafter.

SEC. 2. *Be it further ordained,* That there shall be two vacations, of two weeks each, during the current year of said common schools: the first vacation to be next preceding the first Monday in January, and the second next preceding the first Monday in July; and the annual examination of said schools shall commence the first week in June.

Passed 19th of March, 1834.

An ordinance for the further regulation of the Common Schools within the city of Cincinnati.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the members of the board of examiners and inspectors, within two weeks from the passage of this ordinance, to organise themselves in such manner, and adopt such by-laws and regulations, as in their opinion shall be best calculated to promote the prompt and efficient discharge of the duties assigned to them, by the 34th section of the city charter, and the ordinances of the city council.

SEC. 2. *Be it further ordained,* That a majority of the whole number of said examiners and inspectors shall be necessary to constitute a quorum, for the transaction of business, and for that purpose the said board shall meet at the council chamber, at least once in every month, and they shall notify the city council of all vacancies that may occur in said board; and it shall be the duty of the city clerk, or his assistant, to attend all meetings of the board of examiners and inspectors; to keep a regular and faithful record of the quarterly examination, of the schools and all other proceedings of said board, and perform such further duties, connected with his station, as the board may require.

SEC. 3. *Be it further ordained,* That all applicants for the station of principal or assistant teacher, in the common schools, shall be thoroughly examined, at a stated or extra meeting of said board, and the result of such examination shall be faithfully recorded; and every person desirous of being examined, shall, (except in urgent cases) two days prior to the meeting of said board, deposit with the clerk, such written testimonials as may be deemed necessary, of his or her character or qualifications.

SEC. 4. *Be it further ordained,* That whenever any applicant, shall be found on examination, to possess the requisite qualifications for a teacher in said schools, a record of such fact shall be made in due form; and a certificate thereof, signed by at least four of said examiners and inspectors, shall be delivered to him or her, which certificate, or an official copy thereof, shall be submitted to the board of trustees and visitors, which shall be filed.

SEC. 5. *Be it further ordained,* That the messenger of the city council, shall attend, and serve as messenger to the board of trustees and visitors, and examiners and inspectors of common schools, and it shall be his duty to serve notices, to prepare the room, and to perform such other services, as either of said boards may require; for which service, the said messenger shall be paid out of the school fund, such sum not exceeding one hundred dollars per annum, as the said board of trustees and visitors may judge proper.

Passed 18th of June, 1834.

COFFEE HOUSES.

(See Taverns.)

DEAD BODIES.

An ordinance to prevent the removal of Dead Bodies, and to provide for the appointment and government of the Grave Digger of the public ground.

Whereas, It has been represented to the city council, that sundry persons are in the habit of entering the grave yards of this city, and taking therefrom the bodies of such persons as are from time to time interred; *And whereas*, It has also been represented, that the practice of so doing has reached an extent of boldness and profligacy that requires the intervention of the civil authority to suppress it:

SEC. 1. Therefore be it and it is hereby ordained by the City Council of the city of Cincinnati, That if any person or persons shall hereafter take or remove, from any grave yard, or cemetery, in this city, any human body that shall have been interred therein, such person or persons, his, her, or their aiders, abettors, counsellors, or advisers, shall, on conviction thereof before the mayor, forfeit and pay for every such offence, the sum of one hundred dollars, with costs of suit; one half to go to the informer, and the other half to be paid into the city treasury, for the use of the city.

SEC. 2. Be it further ordained by the authority aforesaid, That if any person shall receive into his custody or possession, any human body, knowing the same to have been taken from its interment in either of the grave yards in this city, such person or persons, on conviction thereof before the mayor, shall forfeit and pay the sum of one hundred dollars, with costs of suit, one half to go to the informer, and the other half to be paid into the city treasury.

SEC. 3. Be it further ordained by the authority aforesaid, That a proper person shall be annually appointed, under this ordinance, as grave digger of the public burial ground; who, before he enters upon the duties of his office, shall take an oath of office, before the mayor, faithfully to perform his duties, as herein pointed out. *And moreover*, he shall enter into sureties to the amount of five hundred dollars, for his faithful performance; and in case of his conviction of a violation of this ordinance, he shall imme-

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diatey cease to be an officer of the city, and no longer act as grave digger to the public burial ground.

Passed 12th of February, 1823.

DOG TAX.

(See Road and Dog Tax.)

DRAYS.

(See Hackney Coaches, &c.)

EXHIBITIONS.

(See Shows and Exhibitions.)

FALSE ALARMS,

An ordinance to prevent false alarms of Fire.

Sec. 1. *Whereas, Idle and dissolute boys, and others, have of late created false alarms of fire, by ringing the college bell at late hours of the night, thereby arousing quiet and orderly citizens from their repose, which practice has a tendency to destroy all confidence in any alarms that may be given, in cases of actual danger: Therefore, to prevent such mischiefs, Be it and it is hereby ordained by the City Council of the city of Cincinnati, That if any person or persons shall ring the college bell, with intent to create false alarm of fire, or shall ring the said bell at any time during the night, except at the regular times appointed by the faculty, or officers of the college, or in cases of real alarm of fire, such person or persons, his, her, or their aiders or abettors, on conviction thereof before the mayor, shall pay a fine not exceeding twenty dollars, nor less than five dollars, with costs, for each offence; and to prevent an occurrence of similar false alarms from the other bells of the city, Be it further ordained, by the authority aforesaid, that if any person or persons shall ring the bell belonging to either of the churches, or meeting houses, school houses, or market houses, in this city, in the night season, except by the authority of those having the control of said bells, unless in cases of actual alarm of fire, such person or persons, his, her, or their aiders or abettors, on conviction thereof before the mayor, shall pay a fine not exceeding twenty dollars, nor less than five dollars, for each offence, with costs.*

SEC. 2. *Be it further ordained,* That if any person or persons, shall knowingly create a false alarm, by crying "fire," such person or persons, on conviction thereof before the mayor, shall pay a fine not exceeding ten dollars, with costs. And any of the police officers, or any private citizen or citizens, are hereby authorised and requested, to apprehend without process, any person or persons found in the act of violating this or the preceding section, and to convey him or her, or them, forthwith, before the mayor for trial.

SEC. 3. *Whereas,* noisy and disorderly persons frequent the streets at night in crowds, to the serious annoyance of peaceable and well-disposed citizens; *Therefore,* be it further ordained, That if any person or persons, shall make any noise, disorder, or tumult, to the disturbance of the peace of said city, such person or persons, on conviction before the mayor, shall pay a fine not exceeding twenty dollars and costs: And the police officers, or the watch, or any of them, are hereby authorised and required to apprehend such offenders without process, and if found in the violation of this section, in the night, to convey such offender or offenders to the jail or watch house, there to be detained for trial until the morning.

Passed 10th of September, 1823.

FIRE ARMS.

An ordinance to prevent accidents from the discharge of Cannon and other Fire Arms, within the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons (excepting persons in military array, discharging cannon or fire arms in some public display, or commemoration of some extraordinary event) shall hereafter discharge any cannon, carronade, blunderbuss, swivel, musket, fowling-piece, rifle, pistol or other fire arms, within the limits of said city; or if any person or persons shall hereafter fire any squib or squibs, or crackers, or other fire works of any description whatever, in any of the streets, alleys, or market spaces, or on the public commons of said city, every person so offending, shall, for every such offence, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not exceeding two dollars, nor less than one dollar, with costs of prosecution.

SEC. 2. *Be it further ordained,* That if any person or persons, owning or having charge of, or commanding any steamboat, or other vessel, on the river off said city, or when passing by,

stopping at, or leaving the same, shall cause or permit any cannon, caronade, blunderbuss, swivel, or other gun or fire arms, to be discharged upon or from such steamboat or other vessel, every person so offending, shall, for every such offence, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not exceeding ten dollars, nor less than five dollars, with costs of prosecution.

Passed 4th of June, 1828.

FIRE WOOD.

An ordinance to amend an ordinance entitled "An ordinance to regulate the sale of Fire Wood.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person or persons to purchase, between the first day of September and the first day of April, for the purpose of re-selling the same, any fire wood that has been brought into, or that may be coming to the city of Cincinnati for sale, after the same shall have reached the limits of the city, and every person offending against this ordinance, shall, on conviction thereof before the mayor, be fined in any sum not exceeding five dollars, nor less than one dollar, for each and every cord of wood thus purchased, with costs of prosecution.

SEC. 2. That it shall be the special duty of the wood measurer to report the names of all persons he may find offending against this ordinance, or that to which this is an amendment, to the mayor for prosecution.

Passed 14th of November, 1827.

An ordinance to regulate the sale of Fire Wood.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati,* That there be appointed, in the month of February, annually, and at such other time as the city council shall deem it expedient so to do, by the city council, one or more suitable persons, to measure the fire wood brought by water to this city to sell, who, before entering upon the duties of their office, shall take an oath or affirmation, before the mayor, faithfully to discharge all the duties required of him by ordinance.

SEC. 2. *Be it further ordained,* That it shall be the duty of the wood measurers, thus appointed, as aforesaid, to attend regularly at such points in said city, as the city council shall by resolution designate, and there to measure all the fire wood brought by water to market, in such quantities as may be required of them, estimating one hundred and twenty-eight cubic feet to contain one cord; and to give a certificate of the quantity so measured.

to the person or persons so hauling the same, which certificate shall be produced in evidence of the quantity to the purchaser, for which services the seller shall pay the said wood measurers the following fees, to wit: for one fourth of a cord, two cents; and for one half cord, or any greater quantity, at the rate of four cents per cord.

SEC. 3. *Be it further ordained,* That it shall be unlawful for any person or persons, to dispose of, or to receive and haul any such fire wood, from any point in said city, where the said wood measurers shall be required to attend, until the same shall have been measured by the proper officer, as aforesaid; and any person or persons, offending against the provisions of this section, shall, on conviction before the mayor, be fined in any sum not exceeding ten dollars, with costs of suit.

SEC. 4. *Be it further ordained,* That if any person appointed to measure fire wood, as aforesaid, shall by reason of sickness, or his necessary absence from the city, be unable at any time to discharge the duties of his office, he shall appoint a deputy, to be approved of by the mayor, who, before entering upon the duties of the office of wood measurer, shall take an oath or affirmation before the mayor, faithfully to discharge the duties of said office.

SEC. 5. *Be it further ordained,* That any person wishing to purchase a half or a quarter of a cord of any fire wood, brought by water to market, and lying in any boat or raft, or upon any of the landings in the city, at which the said wood measurer shall be required to attend, and shall have the same on paying or offering to pay therefor, to the owner or seller of such fire wood, or the person or persons bringing the same to market, at a rate not exceeding ten per centum above the usual market price of the fire wood at the time; and any person offending against the provisions of this section, on conviction thereof before the mayor, shall be fined in any sum not exceeding twenty dollars, with costs of suit.

SEC. 6. *Be it further ordained,* That the said wood measurer shall, on the second Wednesday of May, August, November, and February, in each year, report to the city council the number of cords of wood measured by them, and the amount of fees by them received.

Passed 11th of June, 1828.

Supplement to an ordinance to regulate the sale of Fire Wood, passed June 11th, 1828.

Be it ordained by the City Council of the city of Cincinnati, That the provisions of the ordinance "To regulate the sale of fire wood," passed June 11th, 1828, be and the same are hereby extended to all fire wood offered for sale, within the limits of the

city of Cincinnati; whether the same shall have been conveyed to said city by land or water.

Passed 7th of December, 1831.

FIRE DEPARTMENT.

An ordinance for preventing and extinguishing Fires, and to regulate the keeping of Gun Powder; also, to prevent the erection of Wooden Buildings within certain limits.

Sec. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the fire warden company, No. 1, and the several fire engine companies, to wit: No. 1, No. 2, No. 3, and No. 4, and the hook and ladder company, No. 1, and the hose company No. 1, and all other engine companies that may be hereafter formed, and accepted by the city council, shall be entitled to receive a certificate of membership, individually, from the clerk of the city council, which certificate may be properly adduced as evidence of their right to the privilege of the 9th section of the city charter, exempting firemen from military duty. And each of the above named companies, and such other companies as may be hereafter accepted by the city council, may form a constitution, and enact such by-laws, and to be enforced under such penalties for the regulation and prompt attendance of their own company as a majority of said company may think proper; (provided such by-laws are not repugnant to the laws of this city, this state, or the United States,) and all fines and penalties incurred by any fire man, by violation of any of the by-laws thus made, may be recovered by prosecution before the mayor, and all fines or forfeitures, so collected, shall be paid to the foreman of the company in which the forfeit was made, for the benefit of the said company.

Sec. 2. *Be it further ordained,* That when any of the aforesaid companies shall be disbanded, or when new companies shall become necessary, volunteers may offer, by enrolling themselves into a company, choosing a foreman and secretary, and reporting their names to the city council for acceptance, their number being limited by the city council: But from the consideration that practice and long experience approach towards perfection, it is considered inexpedient to make annual or frequent changes in the members of the fire department, but that they should hold their appointments during the pleasure of the city council: *Provided, however,* that all companies belonging to the fire department, and each individual composing those companies, shall be subject to the control of the city council, and whole companies or individuals shall be liable to be displaced for any improper conduct, or when the public interest may require a change, and successors appointed.

SEC. 3. Repealed.

SEC. 4. Be it further ordained, That the fire wardens are hereby authorised to enter any house or building, lot, yard, or premises, in this city, between sun rising and setting, on any week day, for the purpose of examining any fire-places, hearths, chimneys, stoves, or stove pipes, ovens, boilers, kettles, or other apparatus or fixtures, which may be dangerous in causing or promoting fires; and when any danger shall appear from any apparatus as aforesaid, of fires taking place, they shall, or any of them may direct, in writing, the owner, agent, or occupant of any premises containing any of the dangers aforesaid, to remove, alter, or amend the same, in such manner and within such time, as they or either of them may deem reasonable and just; and any person or persons who shall resist the entrance of the fire wardens as aforesaid, into any premises as aforesaid, or shall neglect or refuse to attend to the directions given for altering, amending, or removing any of the dangers aforesaid, shall forfeit and pay for every such offence, any sum not exceeding fifty dollars, to be recovered before the mayor, with costs of suit, and the further sum of five dollars, to be recovered before the mayor, with costs of suit, for every day they shall suffer the same to remain, after reasonable time given as aforesaid.

SEC. 5. Be it further ordained, That it shall be the duty of all persons hereafter building any hearth, or hearths, within the boundaries of the corporation, to construct the same on a stone or brick arch, and in all cases where the back of the fire-place shall be three feet or more wide, the hearth shall extend at least twenty-four inches in front beyond the jambs; and where the back of the fire-place shall be less than three feet wide, the hearth shall extend not less than twenty-two inches in front beyond the jambs.

SEC. 6. Be it further ordained, That it shall be the duty of all persons using a tight stove, or stoves, in any house, store, shop, or building, within the corporation, to have a platform of stone, brick, sheet iron, or earth, under the said stove or stoves, extending at least six inches in every direction beyond that part of the lower plate that fronts the door of said stove or stoves; and that all stove pipes, at their intersection with any floor, partition, roof, or side of a house through which they pass, shall be made to pass through a crock, or if through a window it shall be enclosed with tin; and all chimneys shall in all cases extend at least two feet and a half beyond the roof or side of a house through which it passes, and if through the side of a house, it shall be capped with a cross pipe not less than eighteen inches in length, and no person shall be permitted to place a stove pipe through any building so as to project into the street; *Provided, nevertheless,* that if,

from any peculiar circumstances, it should be the opinion of any three of the fire wardens as aforesaid, that further precautions are necessary beyond what are defined in the fifth and sixth sections of this ordinance, they may give such further directions as to them the circumstances of the case may seem to require, and their directions shall be considered lawful; and any person or persons offending against any of the provisions of this or the preceding section, shall be fined in any sum not exceeding twenty dollars, and not less than five dollars, with costs of suit, on conviction thereof before the mayor.

SEC. 7. *Be it further ordained,* That it shall not be lawful for any person or persons to burn any shavings or other combustibles, in any street, lane, lot, yard, shore, or beach in this city, except workmen whose business necessarily requires out door fire, (nor then, if in the opinion of any fire warden the fire endangers any house or building of any description) and shall be immediately extinguished as soon as the purpose is effected for which it was built; and any person offending against the provisions of this section shall be liable for all damages, and be fined in any sum not exceeding ten dollars, with costs of suit, on conviction thereof before the mayor.

SEC. 8. *Be it further ordained,* That it shall not be lawful for any person or persons to boil oil or varnish in this city, within twenty feet of any building, and in all cases the boiler must be placed in a furnace, and previous to its being used, the owner or occupant must receive from one or more of the fire wardens of the ward in which the furnace is placed, a certificate of safety from danger of communicating fire; and any person offending against the provisions of this section shall be liable for all damages, and be fined in any sum not exceeding one hundred dollars, with costs, on conviction thereof before the mayor.

SEC. 9. *Be it further ordained,* That no persons or persons shall put or keep any wheat, rye, oats, barley, hay, straw, or fodder, in sheaf, stack, or pile, within one hundred yards of any building within the in-lots of this city, including the lots laid out by Jesse Hunt and others on the north, Nicholas Longworth and others on the west, and Main and Second street to the corporation line, (except it be in a stable, barn, or warehouse,) nor in any dwelling house whatever, where fire is used for any purpose, and any person or persons offending against any of the provisions of this section, shall, on conviction thereof before the mayor, be fined in any sum not exceeding twenty dollars, with costs of suit.

SEC. 10. Repealed.

SEC. 11. Repealed.

SEC. 12. Repealed.

SEC. 13. *Be it further ordained,* That no owner or owners, or occupant of any livery or other stable within the limits of the corporation, nor any person or persons in their employ, shall be allowed to use therein any lighted candle, or other light, except the same be secured within a tin, horn, or glass lantern, under the penalty of ten dollars, on conviction thereof before the mayor.

SEC. 14. *Be it further ordained,* That it shall be the duty of the fire wardens, and the marshal and his deputies, when proper information is given to any one or more of them of any offence against any preceding part of this ordinance, to lodge complaint before the mayor for prosecution.

SEC. 15. *Be it further ordained,* That the owner or occupant of every house within this city, having less than four fire-places, shall provide one leather fire bucket, and having four fire-places and less than eight, two leather buckets, and having eight fire-places or more, four leather fire buckets, to be marked with at least the initials of the owner's name: and the owner or occupant of every brew-house, distillery, or sugar-house, or air furnace, shall provide four fire buckets for each, in addition to those required for dwelling houses; and the owner or occupant of every soap-house and candle-factory, and bake-house, shall provide himself with two additional buckets as aforesaid, all of which buckets shall be well made, painted or glazed, and capable of containing two and a half gallons, and shall be suspended in some convenient place, ready to be delivered and used for the extinguishment of fires, whenever any may occur; and all leather buckets as aforesaid, shall be procured by the persons inhabiting or occupying any house or building, and if a tenant, at the expense of the owner of the house or building; and in case of neglect or refusal, after having been notified by some person duly authorised by the city council, to furnish all or any of the fire buckets aforesaid, the person or persons so offending shall forfeit and pay, for every month they shall neglect or refuse to procure the same, fifty cents, to be recovered before the mayor, with costs: and every inhabitant having any fire buckets in their possession, and shall neglect or refuse to deliver them for use on alarm of fire, shall forfeit and pay for every bucket so retained, fifty cents.

SEC. 16. *Be it further ordained,* That whenever any of the fire buckets aforesaid shall be lost or destroyed in the public use, at any fire that may occur within this city, the person owning the same, on producing proof of the same to the city council, shall be entitled to receive an order on the treasury of the city for three dollars, if new, or if damaged by use, such sum as may be deemed right, for every bucket so lost as aforesaid, for the ex-

press purpose and no other, of procuring other buckets in lieu of those lost or destroyed.

SEC. 17. *Be it further ordained,* That it shall be the duty of the marshal, or some other person employed by the city council, to examine all dwellings and other buildings twice in each year, whose owners or occupants are required to furnish fire buckets by the provisions of this ordinance; and when he shall find any person or persons that have not furnished themselves with buckets agreeably to the requisitions of this ordinance, he may receive from all such persons the sum of three dollars for each fire bucket they may lack as aforesaid, and receipt for the same, which receipt shall remain good for eight years, and no longer; and all moneys thus received by the marshal, shall be paid into the city treasury, to be applied exclusively to the fire department, and the marshal or other person shall receive such compensation for his services as aforesaid, as the city council may direct.

SEC. 18. *Be it further ordained,* That if any chimney within this city shall take fire by neglect of being properly cleansed or swept, the owner or occupant of the house to which such chimney appertains, shall forfeit and pay the sum of five dollars; and no person or persons shall set or put fire in their chimneys for the purpose of cleansing the same, except in the day time, nor then unless it is raining, or snow on the roofs of the houses, under the penalty of five dollars for every such offence, on conviction thereof before the mayor.

SEC. 19. *Be it further ordained,* That any person or persons who shall injure any of the fire engines belonging to or in the public use of the city, or any of the apparatus thereunto belonging, or any of the houses in which they may be placed, or shall place any obstruction in the way so as to hinder in any manner the free access to the engines, or hook and ladder carriage, or hose carriage at all times, or shall injure or remove any of the fire hooks or ladders from their proper places of deposit, except it be at the alarm of fire, for the purpose of extinguishing the same, or by order of the proper officer for the purpose of washing, cleansing, exercising, repairing, or other necessary purpose, shall be fined in any sum not exceeding one thousand dollars, on conviction thereof before any court having jurisdiction thereof.

SEC. 20. Repealed.

SEC. 21. Repealed.

SEC. 22. *Be it further ordained,* That it shall be the duty of the marshal and his deputies, on every alarm of fire, to repair to the place where such fire may happen, for the preservation of the public peace, for the removal of all suspicious persons, or others not usefully employed in the extinguishment of fires, or the preservation of property.

SEC. 23. *Be it further ordained,* That it shall be the duty of the fire-engine men, at every alarm of fire, to repair immediately to their respective engines, and convey them to, or near the place where such fire may happen, and there, in conformity to the directions of the foreman of said company, work and manage their respective engines with all their skill and power, for the extinguishment of the fire, and when the fire is extinguished, they shall return their respective engines with all the implements and apparatus belonging thereto, well washed and cleansed, to their several places of deposit; and it shall be the duty of the foreman of each fire company aforesaid, to appoint one or more of his company, whose duty it shall be to convey to any fire that may occur, all the fire buckets that may be in their possession, and when the fire is extinguished, to return them well washed and clean, to their respective places of deposit; and the engine companies shall, at least once in every month, under the direction and order of the foreman, draw out their engines, and wash, cleanse, and exercise the same; and all firemen created under the provisions of this or any former ordinance, shall enjoy all the privileges thereof, so long as they continue to perform the duties required of them, and no longer.

SEC. 24. *Be it further ordained,* That the hook and ladder company now organized, or such other company as may be hereafter organized, shall, at every alarm of fire, repair immediately to their hook and ladder carriage, and convey the same, with the hooks and ladders, near the place where such fire may happen, and there exert themselves in the use of said hooks and ladders, agreeably to the direction of the officer then commanding.

SEC. 25. *Be it further ordained,* That the hose company now organized, or such other company as may be hereafter organized, shall, at every alarm of fire, repair immediately with their carriage and hose near the place where such fire may happen, and there be ready to exert themselves in applying the hose to use, agreeably to the directions of the commanding officer then present.

SEC. 26. *Be it further ordained,* That the protection society, now organized and accepted by the city council, as well as others that may hereafter be organized and approved, shall have power to enforce all their by-laws, not repugnant to the laws of this city, the laws of this state, or the laws of the United States, in the same manner as fire companies are, by the provisions of the first section of this ordinance, and governed in all respects as fire companies are, except that they shall not be controlled by any authority but the officers of their own company, and they shall have power, under their direction, to take such measures for the preservation of lives and property, in times of fire, as

FIRE DEPARTMENT.

may be deemed proper and expedient; to remove all improper or suspicious persons from meddling or interfering with the removal of property, and place such guards over such property as may be removed, as shall be requisite, and use all reasonable endeavors for the safe keeping and return of all property taken under their care, to the owners thereof, as may be in their power.

SEC. 27. *Be it further ordained*, That no person or persons shall be allowed to take any water from any of the public cisterns or hydrants in this city, except for the purpose of extinguishing fires, or for washing, cleansing, or exercising the public engines or other apparatus belonging to the fire department; nor shall any person be allowed to open any of the public cisterns in this city, and leave them uncovered; and any person or persons offending against any of the provisions of this section, shall, on conviction thereof before the mayor, be fined in any sum not exceeding ten dollars, with costs of suit.

Passed 16th of December, 1826.

An ordinance supplementary to an ordinance entitled "An ordinance for preventing and extinguishing Fires," &c., passed 16th December, 1826.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati*, That if any person or persons, except regularly appointed by the city council, shall assume the direction and control, or assist in the management of any fire engine belonging to the city of Cincinnati, after being notified by the marshal, that the city council do not recognize them as belonging to the fire department, every such person so offending, shall forfeit and pay, on conviction thereof before the mayor, the sum of fifty dollars, with costs of suit, and a further sum of twenty-five dollars for every twenty-four hours, or a less period of time the engine is in their possession, or notice given the marshal to take charge of the same.

SEC. 2. *Be it further ordained*, That it is hereby made the duty of the marshal, when directed by a resolution of the city council, to serve a written notice on the foreman, and as many of the members of his company as can be found, that the city council do not recognize him or them as belonging to the fire department, and to take charge of the engine, and give notice to the city council at their next meeting.

Passed 24th of January, 1827.

An ordinance amending an ordinance for preventing and extinguishing Fires, &c., passed the 16th day of December, 1826.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati*, That the several fire engine companies, the hose company, and the hook and ladder company, now formed, and such other engine, hose, and hook and ladder companies, as may be formed,

and under the control of the city council, shall have authority to increase the number of members in each of said companies, to any number not exceeding fifty. And the independent engine and hose company, so called, shall have authority to increase the number of members in said company, to any number not exceeding one hundred and fifty.

Passed 24th of March, 1831.

An ordinance amending an ordinance for preventing and extinguishing Fires, &c., passed March 24th, 1831.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the several engine companies Nos. 1, 2, 3, and 4, shall have authority to increase the number of members in each of said companies, to any number not exceeding one hundred and fifty.

Passed 7th of September, 1831.

An ordinance to amend an ordinance for preventing and extinguishing Fires, and for other purposes, passed the 16th day of December, 1826.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the offices of chief and assistant chief engineer be, and the same are hereby discontinued.

SEC. 2. *Be it further ordained,* That the third section of the abovenamed ordinance, passed the 16th day of December, 1826, be, and the same is hereby repealed.

SEC. 3. *Be it further ordained,* That any fire warden, in conjunction with the foreman or chief officer of a hook and ladder company, and the foreman or chief officer of any engine and hose company, be, and they are hereby authorised and empowered at fires, to order the removal of fences, lumber, and other combustibles, and the pulling down of any house or building, when in their opinion, the public safety requires it.

SEC. 4. *Be it further ordained,* That the three first officers of each of the different engine and hose companies and hook and ladder companies, be vested with the power of police officers during the time of fire, and are to be obeyed accordingly.

SEC. 5. *Be it further ordained,* That there may be raised and established a company of firemen, to be denominated *Fire Guards*, to consist of any number not exceeding two hundred and fifty men, whose duty it shall be to form lines and limits round a fire, beyond which no person, unless he be attached to one of the fire companies, or protection society, or has property in danger within, shall pass: and the fire guards shall have power to remove all persons from the neighborhood of a fire, to such a distance that the firemen can perform their duty without interruption, or to compel them to assist: and said company may

form a constitution, and enact such by-laws, to be enforced under such penalties for the regulation and prompt attendance of their own members, as a majority of said company may think proper: *Provided*, such by-laws and regulations are not contrary to the laws of the state.

SEC. 6. Be it further ordained, That there shall be appointed by the city council, at their first regular meeting after the passage of this ordinance, and at the first stated meeting in the month of May, annually, and likewise when a vacancy occurs, a suitable person, to be called the City Fire Engineer, who shall hold his office during the pleasure of the council, and who shall receive such compensation for his services as the council may think proper to give; whose duty it shall be to take under his charge all the public cisterns and fire plugs; to see that they are always in good condition, and in a proper state to be used in time of fire; to examine them all at least once a month, or as often as necessary, and report the condition thereof once a month to the city council.

Passed 11th of January, 1832.

An ordinance authorizing Hook and Ladder Company No. 1, to increase the number of its members.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That hook and ladder company No. 1, shall have authority to increase the number of its members to one hundred.

Passed 5th of December, 1832.

An ordinance relating to Fire Companies.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That the members of the different fire companies composing the Fire Association, and the company of Fire Wardens, be exempt from the payment of road taxes.

SEC. 2. Be it further ordained, That it shall be the duty of the secretary of each fire company aforesaid, and of the company of wardens to deliver to the clerk of the city council, on or before the twentieth of the present month, and on the first Wednesday of May in every succeeding year, a correct alphabetical list of the names of the members of their respective companies at that time; a certified copy of each list shall be furnished by the city clerk within five days after he receives it, to each of the collectors of the road tax; which certified lists shall be the only ones that are to govern the said collectors in the collection of the road tax, from persons declaring themselves to be firemen.

Passed 6th of June, 1833.

FERRIES.

An ordinance to regulate Ferries across the Ohio river, from the city of Cincinnati to the opposite shore.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons shall hereafter establish, set up, or keep a ferry across the Ohio river, from the city of Cincinnati to the opposite shore, or keep, or use any boat or craft of any description, for the purpose of conveying any person or property across the Ohio river as aforesaid, for hire or pay; or if any person or persons shall hereafter demand or receive any money or reward whatever, for conveying any person or property across the Ohio river as aforesaid, without having first obtained a license under the authority of the city council aforesaid, to keep a ferry across the Ohio river, as hereinafter provided for; or if any person or persons having obtained license as aforesaid, or any person or persons acting by virtue of any such license, shall ask, demand, or receive any higher or greater rate, price, or sum, for ferriage, or any higher or greater sum or price, for conveying any person or property across the Ohio river as aforesaid, than the rate, price or ferriage fixed and established by this ordinance, or detain any person or property at such ferry longer than may be necessary, after application for conveyance of such person or property across the Ohio river as aforesaid, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding fifty dollars, nor less than five dollars, with costs of prosecution. And if any person or persons, having obtained license as aforesaid, shall neglect to provide and keep in complete repair, a good and sufficient boat for the ready and safe conveyance of persons and property across the Ohio river as aforesaid, or to give due attendance at such ferry, from daylight in the morning, until dark in the evening, with a sufficient number of hands to work and manage such boat, or shall neglect or refuse upon the application of any person, at any hour of the day, (when the river can be passed) to convey such person or any property proper to be conveyed in a ferry boat, across the Ohio river as aforesaid, at such ferry; or shall neglect or refuse upon application for that purpose, at any hour of the night or day, (when the river can be passed) without unnecessary delay, to convey the United States' mail, or other public express across said river, at such ferry, every person so offending, on conviction thereof before the mayor, shall, in addition to the penalty aforesaid, for any such offence, forfeit his or their license.

SEC. 2. *Be it further ordained,* That all applications for license to keep a ferry across the Ohio river, from the city of Cincinnati to the opposite shore, shall be by petition in writing addressed to the city council, and shall describe the place where it is proposed to establish such ferry; and before such petition shall be granted by the city council, the petitioner shall cause notice of such application describing the place where it is intended to keep such ferry, to be published at least three weeks successively, in one or more of the newspapers printed in this city, and if upon such petition and publication, the city council shall deem it expedient to establish the proposed ferry, they shall determine the price or sum of money, which shall be paid by the applicant for such license, and such terms and conditions under which the same shall be acted upon, as they may deem necessary, which shall be certified to the mayor by the city clerk, for which certificate, the applicant shall pay the city clerk one dollar, as his fee: and it shall be the duty of the mayor, upon such certificate being presented to him, and upon payment of the sum of money therein stated, as the price or sum to be paid by such applicant, to issue a license to keep a ferry accordingly, setting forth in such license the terms and conditions stated in such certificate, under which such license shall be acted upon, and containing a proper clause, providing that such license shall be forfeited, and become void upon such terms and conditions, or any of them being violated; and upon receiving such license, the applicant shall pay the mayor one dollar as his fee. And such license shall continue in force for one year only, from the date of the grant by the city council, but may be renewed by the mayor from year to year, upon the same terms and conditions, at the same price, and for the same fee to be paid to him, unless otherwise directed by the city council, and all moneys so paid to the mayor, (except his fees) shall be by him paid to the city treasurer, and reported to the city council.

SEC. 3. *Be it further ordained,* That all licensed keepers of ferries, as aforesaid, may demand and receive the sums or prices, herein stated, and no more, for carrying persons and property across the Ohio river, as aforesaid, viz: For each and every vehicle drawn by one horse, or other animal, including the persons and property conveyed in such vehicle, and the animal drawing the same, fifty cents; for each and every vehicle, drawn by more than one, and less than four horses, or other animals, including the persons and property conveyed in such vehicle, and the animals drawing the same, seventy-five cents; for each and every vehicle drawn by four or more horses, or other animals including the persons and property conveyed in such vehicle, and the animals drawing the same, one dollar; for each and every horse or other

animal, rode or led, and not attached to a vehicle as aforesaid, including the persons riding or leading such animal, twenty-five cents; for each and every foot passenger, not included as above, twelve and a half cents; and for all animals or other property, not herein specified, such sum or price as may be agreed upon between the keeper of such ferry, and the person or persons applying for conveyance as aforesaid.

Passed 30th of August, 1826.

GRADES.

(See Streets and Side Walks.)

GUN POWDER.

An ordinance to regulate the keeping of Gun Powder.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That no person or persons in the city of Cincinnati, shall keep, have, or possess, in any house, warehouse, shop, shed, or other building, nor in any street, side walk, lane, alley, passage, way, or yard, nor in any cellar, wagon, cart, or carriage, of any kind whatever; nor in any other place, within said city, Gun Powder, in any way or manner, other than as provided for by this ordinance; nor in any quantity exceeding twenty-five pounds, to be divided into six equal parts.

SEC. 2. *Be it further ordained,* That it shall not be lawful for any person or persons to sell gun powder by retail within said city, without having first obtained a license from the city council for that purpose; and every person obtaining a grant for a license to sell gun powder, shall receive a certificate of such grant from the city clerk, and pay into the city treasury, a sum not exceeding one hundred dollars, nor less than ten dollars; besides fifty cents to the mayor for issuing the same: *Provided*, that license be granted to not more than four persons in any one ward, and so that they be separated from each other, by at least two entire blocks or squares; and all applications for such license, shall be in writing, stating the situation where such gunpowder is to be kept.

SEC. 3. *Be it further ordained,* That every person who obtains a license as aforesaid to retail gun powder, shall keep the same in tin cannisters, well secured with good and sufficient covers; and shall place on the store or building containing the same, a sign, with the words, LICENSED TO SELL GUN POWDER; *Provided*,

that nothing in this ordinance shall be so construed as to prevent any person from carrying gun powder through the streets in its exportation, or to some place of deposit, without the limits of the corporation, if the same be put up in tight and well secured kegs or vessels.

SEC. 4. *Be it further ordained,* That it shall be the duty of the city marshal and his deputies, and any of the fire wardens, on any day, (Sundays excepted,) between sun rising and setting, to enter into any house or building, or any other place within said city, where gun powder is kept or suspected to be kept, and examine the premises, and if they or either of them shall find any gun powder, contrary to the provisions of this ordinance, they or either of them shall seize such powder, together with the vessel containing the same, in the name of the city of Cincinnati; and the officer making such seizure, if he be other than the marshal, shall forthwith report such seizure to the marshal, who shall immediately take charge of the gun powder so seized, as if in case of seizure by himself; and in either case he shall immediately cause the gun powder so seized, to be conveyed to some safe place of deposit without the limits of said city. And the marshal shall, moreover, forthwith report such seizure to the mayor, with the name of the person in whose possession such gun powder was seized, or with the name of the owner, if his name be known, whereupon the mayor shall issue a citation against the owner, if known and within his jurisdiction, and if not, then against the person in whose possession such gun powder was seized, citing the defendant to appear on a day to be named in such citation, and shew cause, if any he have, why the gun powder so seized should not be forfeited to the city, and a fine imposed agreeably to the provisions of this ordinance; upon which citation proceedings shall be had as in other cases upon the city ordinances, and if a final judgment of forfeiture be pronounced against the gun powder so seized, the marshal shall proceed to sell and dispose of the same for the benefit of said city, after having given three days notice of such sale, by advertisement in at least three public places in the city, and at one of the market houses on market day, to the highest bidder; and the net proceeds thereof shall be credited on the execution against the person fined for keeping the same contrary to the provisions of this ordinance: *Provided*, that, of any lot of powder seized according to the provisions of this ordinance, not more shall be sold by the marshal than will pay the fine and costs of suit and expense attending the seizure.

SEC. 5. *Be it further ordained,* That any person resisting the marshal or his deputies, or any of the fire wardens, in entering into the house or building, or other place as aforesaid, for the pur-

pose of searching for gunpowder as aforesaid, or shall refuse to open any house, building, or other place, where Gunpowder is suspected to be kept, shall forfeit and pay for every such offence, any sum not exceeding fifty dollars, with costs of suit.

SEC. 6. *Be it further ordained,* That any person or persons offending against the provisions of this ordinance, (the 5th section excepted) shall, for each and every offence, on conviction thereof before the mayor, forfeit and pay a fine of *one hundred* dollars, with costs of suit; one half of such fine, when recovered, (deducting costs and expenses as aforesaid) shall be paid into the city treasury, and the other half to the person giving information of the offence: *Provided*, that all sums received by the city for fines and licenses under this ordinance, shall be appropriated to the benefit of the fire department.

Passed 3d of January, 1835.

HAY.

An ordinance to regulate the sale of Hay.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati,* That hereafter no person shall keep Hay Scales for the use of the public, until he or they have first obtained a license from the city council, and taken an oath or affirmation before the mayor, faithfully to discharge the duties of weigher, and the owner or tender of such hay scales, shall give a certificate of the net weight of each load or parcel by him weighed; the wagon, sled, or cart, having been separately weighed, and reweighed as frequently as the weigher shall deem necessary, and the proper deduction being made for the weight of poles, ropes, and other rigging, the weight of the cart, sled or wagon, shall be marked in paint, on the same by the weigher.

SEC. 2. *Be it further ordained,* That hereafter it shall be unlawful for any person to deliver any hay sold, or for any person to receive any hay purchased, until the same has been weighed, and the certificate of the weight thereof has been received from some person authorised as aforesaid.

SEC. 3. *Be it further ordained,* That every person licensed to keep hay scales, shall be entitled to receive the following fees, viz: for weighing and marking each wagon, cart or sled, thirteen cents, for each draught, if not exceeding ten hundred, nineteen cents; for each and every ten and not exceeding seventeen hundred, twenty-five cents; and for each draught over seventeen hundred, thirty-seven cents.

SEC. 4. *Be it further ordained,* That no person owning or using such scales, shall interrupt the free passage of any side

walk with the same, nor shall any person in any manner suffer, or permit such side walks, or any part thereof, to be occupied by any horse, wagon or sled, while the same is being weighed or at any other time; and every person offending against the provisions of this ordinance, shall, on conviction thereof before the mayor, forfeit and pay a fine, in any sum not exceeding twenty dollars, with costs.

Passed 17th of December, 1834.

HACKNEY COACHES, ETC.

An ordinance for licensing and regulating Hackney Coaches, Wagons, Carts, Drays, and all other four and two wheeled vehicles.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That hereafter it shall be unlawful for any hackney coach, wagon, cart, dray, or other four or two wheeled vehicle to be employed in conveying persons, or in the transportation of water, timber, or other articles within the city for hire or pay, unless the same has been entered and licensed agreeably to the following provisions:

SEC. 2. *Be it further ordained,* That the owners of all hackney coaches, wagons, carts, drays, and all other four or two wheeled vehicles employed in conveying persons, or for the transportation of water, timber, or other articles for hire or pay, shall cause the same to be numbered with plain and conspicuous figures, to be painted or otherwise to be secured on the outside of each coach, wagon, cart, dray, or other vehicle.

SEC. 3. *Be it further ordained,* That the city clerk shall keep a book for the entering and registering the name and place of abode of the owner of each hackney coach, wagon, cart, dray, and other four and two wheeled vehicles, and he shall cause the same to be entered therein, under their proper head and number, beginning with No. 1, proceeding on to the extent of the whole number employed in the conveyance of persons, and beginning with No. 1, and proceeding in the same way with all such as are employed for the transportation of water, timber, and other articles; and proceed progressively with the whole number of each, with the names and places of residence of each owner thereof, and such entry shall be acknowledged by the signature of the owner or owners thereof.

SEC. 4. *Be it further ordained,* That the owner or owners of all such hackney coaches, wagons, carts, drays, and other four or two wheeled vehicles, before the same are used, or permitted to be used, shall personally appear at the city clerk's office, and there cause an entry to be made of his or their name, place of

residence, and a particular description of every such hackney coach, wagon, cart, dray, or other four or two wheeled vehicles, used by him or them, and cause the number designated by the city clerk to be affixed on the outside of such vehicle or vehicles, and cause the same to be renewed as often as may be necessary to have them at all times conspicuous.

SEC. 5. Repealed.

SEC. 6. *Be it further ordained,* That it shall be the duty of every person on receiving a certificate and license, to give notice to the city clerk of all or any change that shall take place in his residence, within two days of such change, and cause such change to be endorsed on his certificate, for which no charge shall be made by the city clerk.

SEC. 7. *Be it further ordained,* That if any person shall make or cause to be made a false entry either in the number of the coach, wagon, dray, or other vehicle, or in the place of his or their residence, or shall alter the number or neglect to keep his coach or other vehicle numbered in the manner prescribed as aforesaid, or otherwise alter the certificate, or violate the provisions of this ordinance, he or they shall, on conviction thereof before the mayor, forfeit and pay for the use of the city, any sum not exceeding thirty dollars.

SEC. 8. *Be it further ordained,* That hereafter no person shall be entitled to demand, recover, or receive any pay or reward for the conveyance of any person or persons, or the transportation of any water, timber, or other article whatever within the city, unless the same has been entered and a license granted to the person or owner as aforesaid.

Passed 29th of October, 1834.

An ordinance to amend "an ordinance for licensing and regulating Hackney Coaches, Wagons, Carts, Drays, and all other four and two wheeled vehicles," passed 29th October, 1834.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That every owner of hackney coaches, wagons, carts, drays, and other four or two wheeled vehicles, who shall cause entries to be made as specified in the fourth section of the ordinance to which this is an amendment, and acknowledge the same by his, her, or their signature, shall receive from the city clerk a certificate, stating the number of each coach, wagon, cart, dray, or other vehicle, as aforesaid, so entered, and the place of residence of the owner thereof; and such certificate shall be presented to the city treasurer, who shall demand and receive for the use of the city, of such owner or owners, the following sums, to wit: for each hackney coach, for two or more horses, five dollars; for each barouche, dearborn, or other four wheeled vehicle,

three dollars; for each gig, or other two wheeled vehicle, two dollars; for each wagon, drawn by six or more horses or oxen, six dollars; by four or five horses or oxen, five dollars; by a less number than four horses or oxen, four dollars; for each cart, drawn by two horses or oxen, four dollars; for each cart or dray, drawn by one horse, three dollars; and for every pair of timber wheels, five dollars. And on receiving the amount due as aforesaid, agreeably to the certificate of the city clerk, the treasurer shall make a particular entry of the same in a book to be kept for that purpose, and acknowledge the receipt thereof on the back of such certificate, which receipt, on presentation to the mayor, shall entitle the owner or owners to receive a license for one year from the date of the same.

Passed 30th of January, 1835.

HAWKERS.

(See Pedlars and Hawkers.)

HOGS.

An ordinance to prohibit Hogs from running at large.

Sec. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the public convenience and safety requires that hogs or swine of every size and description (except barrows) be prohibited from running at large within the streets, lanes, alleys, commons, and public landings within this city: and it is hereby declared unlawful for the owner or owners to suffer such hogs or swine so to run at large.

Sec. 2. *Be it further ordained,* That if any such hogs or swine (except barrows) shall be found in any of the streets, lanes, alleys, commons or public landings of this city, it shall be the duty of the marshal to cause such hogs or swine to be taken up and impounded and sold to the highest bidder within three days after being so impounded, having first caused the time and place of such sale to be proclaimed through the streets and published in hand bills, and pay over to the treasurer of the city, the amount received from such sale, after paying the necessary expenses.

Sec. 3. *Be it further ordained,* That if any person or persons shall resist in any manner the marshal or person or persons by him employed, in taking up or impounding any hogs or swine under the provisions of this ordinance, or shall break or open the pound, or shall let out any hogs or swine after being so impounded, every person so offending, on conviction thereof before the mayor,

shall, for every such offence, forfeit and pay any sum not exceeding fifty, nor less than five dollars, with costs of prosecution.

SEC. 4. *Be it further ordained,* That it shall be the duty of the marshal to keep a true and accurate account of the number of hogs or swine taken up, impounded, and sold under this ordinance, the price at which they were sold, and the expenses attending the sale; the said account shall be filed with the city clerk on Wednesday of each week, and on the same day the balance exhibited thereon shall be paid into the city treasury.

Passed 11th of July, 1832.

HORSES.

An ordinance to prohibit Horse Racing within the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That no person shall run or race any horse or mare, foal or gelding, or start the same for the purpose of racing within the city of Cincinnati. And if any person or persons do or shall start any horse or mare, foal or gelding, for running within said city, every such person or persons, and also the owner or possessor of every such horse, mare, &c., if such owner shall consent to or suffer such starting or racing, shall forfeit and pay as a fine for each offence, on conviction thereof before the mayor, any sum not exceeding fifty dollars.

Passed 29th of May, 1822.

An ordinance to prevent the keeping Stud Horses in the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons shall keep any stud horse or ass in the city of Cincinnati, for the purpose of letting the same to mares in said city, such person or persons, on conviction thereof before the mayor, shall pay a fine not exceeding fifty dollars, nor less than ten dollars, together with all costs of prosecution.

SEC. 2. *Be it further ordained,* That if any person or persons shall put or let any stud horse or ass to any mare in said city, such person or persons, his or their aiders or abettors, shall, on conviction thereof before the mayor, pay a fine not exceeding fifty dollars, and not less than ten dollars each, for each offence, together with costs.

SEC. 3. *Be it further ordained,* That the owners of any stud horse or ass that shall be kept or let to any mare or mares, in said city, contrary to any of the provisions of this ordinance, when it shall be made to appear that such horse or ass shall have

been so kept for the purpose of being let to mares in said city, or shall have been let to any mare in said city, with the knowledge or assent of such owner or owners, or for his or their benefit, such owner or owners shall forfeit and pay a fine not exceeding fifty dollars, nor less than ten dollars, for each offence, and also the costs of prosecution.

SEC. 4. *Be it further ordained,* That if any person or persons shall put or suffer any other person to put his or their mare to any stud horse or ass in said city, such person or persons shall pay a fine not exceeding fifty dollars, nor less than ten dollars, for each offence, and also the costs; and all persons aiding and abetting therein shall pay a like penalty.

Passed 28th of April, 1824.

An ordinance regulating the sale of Horses, other domestic animals, and wheel Carriages at Auction, in the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person or persons, to sell or offer for sale at auction, or public out cry, any horse, mare, gelding, or other animal, or wheel carriage, within the following limits, to wit: On Lower Market street and space extending to the east side of Broadway and to the west side of Main street; and at the Fifth street Market and space, extending to the east side of Main street and to the west side of Vine street; and at the Fly Market and space, on Sixth st., extending to the east side of Elm street, and to the west side of Western Row; and at the Canal Market and space, on Tenth street, extending to the east side of Main street, and to the west side of Vine street, during market hours, at any of the places aforesaid.

SEC. 2. *Be it further ordained,* That every person desirous of selling horses, other animals, or wheel carriages, at auction, shall first petition the city council for a license for that purpose; and if the city council are satisfied that the petitioner is a suitable person to receive such license, they shall order the city clerk to grant a certificate authorising the mayor to issue such license for one year, on receiving the treasurer's receipt that the sum of fifty dollars and the necessary bond was deposited with him within ten days from the time the order of the city council was granted.

SEC. 3. *Be it further ordained,* That any person licensed to sell horses, or other animals, or wheel carriages, at auction, shall, before receiving his license from the mayor, pay to the treasurer of the city, fifty dollars, and deposit with him a bond for the faithful discharge of the duties required by this ordinance, in the penal sum of one thousand dollars, payable to the city of Cincinnati, with at least two responsible sureties, residents of the city, and to be approved by the city council, conditioned that all

sales at auction by him shall, in all things, be in conformity with the provisions and requisitions of the ordinance on the subject, and pay unto each and every individual the amount of damages sustained, and twenty per cent. in addition thereto, caused by deceit, fraud, or neglect, to be sued for and recovered before the mayor, in an action of debt, in the name of the individual aggrieved, and each individual who now has a license as well as all such as shall hereafter receive a license, shall enter in a book to be kept by him for that purpose, each and every horse, other animal, or wheel carriage, the name and residence of the owner, the agent by whom it was entered (when by an agent), the age of such horse, or other animal, with a full and particular description of such horse, other animal, or wheel carriage, before they are offered for sale; and the owner or agent, and auctioneer, shall certify that the property, (naming the property described) is warranted to be, in all respects, sound and safe property—or that the condition of the property is not known and will not be guaranteed (as the case may be), and each specification shall be read at least three times during the sale, and a copy, signed by the auctioneer, shall be attached to the bill and presented to the purchaser before payment is demanded, and such copy, if attached to the bill of purchase, shall be presented by the purchaser in all cases of suit against the auctioneer or his sureties for damages sustained by reason of deceit, fraud, or neglect of duty, as evidence thereof; and in all cases where no certificate of condition and specification of the property purchased were attached to the bill of purchase, the neglect to attach such specification shall subject the auctioneer and his sureties to the amount of damages proven before the mayor.

SEC. 4. *Be it further ordained,* That any person who shall hereafter sell, or offer for sale at public auction, within the city, any horse, other animal, or wheel carriages, without having first obtained a license from the city council, or shall in any manner violate the provisions of this ordinance, shall, for each offence, on conviction thereof before the mayor, forfeit and pay any sum not exceeding twenty-five dollars, with costs.

SEC. 5. *Be it further ordained,* That the city council reserve the privilege of regulating the fees, and commission to be charged by the several auctioneers, at any time hereafter when they shall deem it necessary.

Passed 26th of November, 1834.

HYDROPHOBIA.

An ordinance to prevent the extension of Hydrophobia, by prohibiting Dogs from running at large in the city of Cincinnati.

Whereas, it has been represented to the city council, that several cases of hydrophobia have recently occurred within said city and its vicinity; and whereas, it is the duty of the municipal authorities to take the most prompt and energetic measures to protect the citizens from so dreadful and fatal a disorder therefore,

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That for and during the term of ninety days next ensuing after the passage of this ordinance, it shall be the duty of every person, residing in the city of Cincinnati, (and it is recommended to the inhabitants of the adjacent country), owning or harboring any animal of the dog kind, to confine the same, by good and sufficient means, to the house, outhouse, or yard, of the premises where such person may reside; so as to prevent any such animal from running at large, and from biting or being bitten by other animals; and every person who shall neglect or refuse to comply with the provisions of this section, shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding twenty dollars, nor less than five dollars, with costs of prosecution.

SEC. 2. *Be it further ordained,* That within the period of ninety days next ensuing, if any animal of the dog kind shall be found running at large, within the city of Cincinnati, aforesaid, it shall be the duty of the marshal to cause the same to be forthwith killed and removed; and the more completely to carry into effect the provisions of this ordinance, the marshal is hereby authorised and required to call to his aid the street commissioners and the market masters, and to employ one or more additional persons in each ward to assist him in destroying and removing said animals; the same to be effected, as far as practicable, without the use of fire arms; and every person who shall obstruct or resist the marshal, or any person so employed by him, or acting under the authority of this ordinance, shall be deemed guilty of a misdemeanor, and on conviction thereof before the mayor, shall pay for every such offence, a fine of not more than one hundred dollars, nor less than twenty dollars, with costs of prosecution.

SEC. 3. *Be it further ordained,* That from and after the period of ten days from the date of this ordinance, it shall be lawful for any person within said city, to kill and remove any animal of the dog kind, found running at large as aforesaid.

SEC. 4. *Be it further ordained,* That the unpaid taxes on all dogs which may be killed and removed as aforesaid, shall be remitted; and that the marshal shall have authority to allow the sum of fifty cents to the proper claimant, for every dog which may be killed under any of the provisions of this ordinance.

SEC. 5. *Be it further ordained,* That the mayor of the city of Cincinnati, and president of the city council, for the time being, be, and they are hereby authorised and empowered, at any time after the expiration of the preceding sections of this ordinance, whenever they shall be convinced that the disease of hydrophobia is in danger of becoming prevalent in said city, to issue a proclamation reviving said ordinance, and continuing the same in force for a limited time, at their discretion.

Passed 15th of July, 1831.

IMMORALITY.

An ordinance to restrain Immorality.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person within the limits of the city of Cincinnati, to commit or perpetrate any indecent, immodest, lewd, or filthy act in the presence or view of any other person, or in such a situation that persons passing and repassing might ordinarily see the same; or to utter and speak any bawdy, lewd, or filthy words or discourse within the hearing of any other person. And if any person shall offend against the provisions of this ordinance, he or she, on conviction thereof before the mayor of the city, shall be fined in any sum not exceeding twenty dollars, with costs of suit.

SEC. 2. *Be it further ordained,* That it shall be lawful for any householder residing within the corporation of the city, to apprehend, without a breach of the peace, any person found in the act of violating this ordinance, and cause or require such person to be conveyed before the mayor, to be dealt with according to law.

SEC. 3. *Be it further ordained,* That if any person, taken in the act of violating this ordinance, shall refuse to go before the mayor, to answer therefor on the requisition of such person or persons, lawfully attempting to convey him or her before the mayor, every person so refusing or resisting, shall, on conviction thereof, be fined in any sum not exceeding ten dollars, with costs.

SEC. 4. Repealed.

Passed 28th of August, 1819.

An ordinance to suppress Vice and Immorality.

Whereas, frequent disturbances have of late occurred in houses of ill fame, which appear to be increasing in this city, to the great detriment of the public morals; and whereas it is represented, that there are persons who are in the habit of harboring and keeping about their houses, lewd, idle, and dissolute women, who make a livelihood by prostitution, and whereas the public good requires the enforcement of a rigid police to preserve the peace and morals of the city, therefore,

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That it shall be unlawful for any person or persons to harbor or keep about his, her, or their house, in the said city, any lewd or common strumpet, under a penalty not exceeding twenty dollars, nor less than five dollars, for every twenty-four hours or less period, to be recovered before the mayor, with costs of prosecution.

SEC. 2. And whereas, It is represented that idle, lewd, and dissolute persons of both sexes, are in the habit of getting up and attending dances and carousals, to the great annoyance of neighborhoods, and corruption of the manners of youth, who are seduced into these receptacles of vice and wretchedness: *Therefore,* to remedy these evils,

Be it further ordained, That all such dances and carousals shall be deemed unlawful, and every person who shall attend or frequent any such dance or carousal, on conviction thereof before the mayor, shall pay a fine not exceeding twenty dollars, nor less than five dollars, and costs of prosecution: and it is hereby declared to be the special duty of the marshal, constables, and fire wardens, or any other person appointed by the council, (and who shall receive the same fees as is usually paid to the constables in other criminal cases,) to attend to the execution of this ordinance, and for that purpose they are hereby authorised to enter such houses at any time, and bring the inmates forthwith before the mayor for trial, with or without process, when found transgressing this law, and to that end, to command such assistance as they may deem necessary.

Passed 21st of July, 1824.

An ordinance to prevent disorderly and immoral conduct on the Sabbath day, commonly called Sunday, within the city of Cincinnati; and to prevent certain dangerous practices within the same.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That it shall be unlawful for any minor or other person or persons to play at marbles, pitch quoits, or engage in any other game or sport, within the city of Cincinnati, on the Sabbath day, commonly called Sunday.

SEC. 2. Be it further ordained, That it shall be unlawful to fly any kite within the city; or to kick any foot-ball, roll any hoop, play at the game commonly called shinney, or engage in any other play or sport, or to do any thing within any street or alley of this city, tending to produce a bodily injury, or endanger the life or property of any person: Any adult person or persons offending against any section or part of this ordinance, shall, on conviction thereof before the mayor, be fined in any sum not exceeding ten dollars, with costs of suit; any minor offending against any section or part of this ordinance, shall, on conviction thereof before the mayor, subject his or her parents, or guardian, or master, to the payment of any fine not exceeding ten dollars, that may be imposed for such offence.

Passed 17th of November, 1824.

INSPECTION.

An ordinance to regulate the Inspection of Staves and Heading.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That there shall be appointed by the city council a suitable person as culler and inspector of staves and heading, who shall take an oath or affirmation faithfully and impartially to discharge all the duties required of him by the provisions of this ordinance, and shall hold his office during the term of one year.

SEC. 2. Be it further ordained, That it shall be the duty of the inspector aforesaid, when called upon, to inspect all staves and heading, and to declare them merchantable, or cullings, agreeably to the following rules, viz: merchantable pipe staves shall be five feet long, four inches wide, clear of sap, and not less than one inch thick on the heart edge; merchantable hogshead staves shall be three feet eight inches long, four inches wide, clear of sap, and not less than seven eighths of an inch thick on the heart edge; merchantable barrel staves shall be thirty-two inches long, four inches wide, clear of sap, and not less than three fourths of an inch thick on the heart edge; merchantable pipe and hogshead heading shall be thirty inches long, nine and a quarter inches wide, clear of sap, and not less than three fourths of an inch thick on the heart edge; barrel heading shall be twenty inches long, nine and a quarter inches wide, clear of sap, and not less than five eighths of an inch thick on the heart edge. And all the above described staves and heading shall be of clear sound timber, and not more than three worm-holes in any one piece. And all staves and heading that shall fall short of the above described sizes, shall be accounted to be cullings.

SEC. 3. Be it further ordained, That the inspector aforesaid, shall be entitled to receive for every thousand pipe staves, that

he may inspect, fifty cents; for each thousand hogshead staves, thirty-seven and a half cents; for each thousand barrel staves, twenty-five cents; for each thousand hogshead or pipe heading, thirty-seven and a half cents; for each thousand barrel heading, twenty-five cents. The one half to be paid by the buyer, and the other half by the seller: the employer always being liable for the whole amount of fees charged agreeably to the provisions of this ordinance.

Passed 29th of May, 1822.

An ordinance to provide for the Inspection of Domestic Spirits and Lin-seed Oil, which may be brought to the city of Cincinnati; and for the appointment of Inspectors.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the city council shall appoint an Inspector of Domestic Spirits, who shall hold the office until the first stated meeting of the city council, in May next; and at the first stated meeting in May next, and at the first stated meeting in May, in each succeeding year thereafter, the city council shall appoint two inspectors of domestic spirits, who shall, within ten days after their appointment, and before entering upon the duties of their office, respectively take an oath or affirmation, faithfully and impartially to execute the office of inspector of domestic spirits and linseed oil: and the inspectors so appointed, or either of them, may be removed from office at any time by resolution of the city council: and in case a vacancy shall occur at any time by death, removal, resignation, or otherwise, the same shall be supplied by a new appointment. And if any person shall exercise the office of guager or inspector of domestic spirits or linseed oil, in the city of Cincinnati, without the authority of the city council as aforesaid; every person so offending, shall, for every day or part of a day he shall be so employed without the authority aforesaid, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not exceeding ten dollars, nor less than five dollars, with costs of prosecution.

SEC. 2. *Be it further ordained,* That it shall be the duty of each of the inspectors so appointed, to provide themselves with the common and most approved instruments of ascertaining the capacity of a barrel or other cask, and the quality or proof of spirituous liquor, and when called upon for that purpose, immediately to attend with the same in any part of the city, and there guage or ascertain the contents of any barrel or other cask of domestic spirits, and examine the quality or proof thereof, and mark on such barrel or cask, the true quantity contained therein, in wine gallons, and the quality or proof of such spirits, together with the name of such inspector, and the place of inspection; and when either of the said inspectors shall be called upon

for that purpose, he shall immediately attend and guage or ascertain the contents of any barrel or other cask of lin-seed oil, and if required, shall mark on such barrel or other cask, the true quantity of oil contained therein, in wine gallons, together with the name of the inspector and place of inspection: but if on examination by such inspector, of any barrel or other cask, containing spirits or oil as aforesaid, he shall be of opinion that such barrel or other cask is not in good condition for exportation, he shall mark the same "condemned." And the said inspectors shall, once in every three months, report to the city council the whole number of barrels or other casks of spirits (whether foreign or domestic) and oil, which shall have been inspected, and the whole amount of fees or compensation received by them respectively.

SEC. 3. *Be it further ordained,* That if any person shall alter, deface, or change, any of the marks made by the inspectors aforesaid, on any barrel or cask of domestic spirits or lin-seed oil, with the intent to defraud any purchaser thereof; every person so offending, shall, for every such offence, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not exceeding fifty dollars, with costs of prosecution.

SEC. 4. *Be it further ordained,* That if either of the inspectors appointed as aforesaid, shall neglect or refuse to attend in person, except in case of sickness, and discharge the duties required of him as aforesaid in a reasonable time after being called upon for that purpose, he shall, for every such offence, on complaint of any person aggrieved, and on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not exceeding fifty dollars, with costs of prosecution.

SEC. 5. *Be it further ordained,* That the said inspectors shall, for services performed by them, be entitled to demand and receive from the person or persons calling upon, or employing them as aforesaid, compensation, respectively as follows, viz: for guaging or inspecting a single barrel or other cask of spirits or oil, twelve and a half cents. When the number of barrels or casks guaged or inspected in one parcel exceeds one and is less than five, for each barrel or other cask, 7 cents. When the number in one parcel exceeds five, for each barrel or other cask, 5 cents. And if any such inspector shall demand or receive any higher or greater fees or compensation for his services as aforesaid, than the fees or compensation herein provided for, he shall, for every such offence, on complaint of any person aggrieved, and on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, any sum not less than five dollars, nor more than twenty dollars, with costs of prosecution.

Passed 13th of February, 1828.

INTERMENTS.

An ordinance regulating Interments in the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That from and after the passage of this ordinance, it shall be unlawful for any person or persons to bury or inter any body or corps, in any burying ground in the city of Cincinnati, in any ground that shall be of less dimensions than three feet ten inches from the surface to the top of the coffin. Any person or persons violating this ordinance, shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding fifty dollars, nor less than twenty-five dollars, with costs of prosecution.

Passed 5th of December, 1832.

LAMPS.

(See special Taxes.)

LIME.

An ordinance regulating the measuring and sale of Lime.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That on the first stated meeting, after the passage of this ordinance, and on the first stated meeting in May, in each succeeding year thereafter, the city council shall appoint such number of suitable persons, as may be found necessary to superintend the managing of Lime. And it shall be the duty of the person or persons so appointed, to provide and keep for use, at his or their own expense, a sealed bushel measure, and the proper and necessary instruments, for ascertaining the quantity of lime, in bulk, contained in any boat, wagon, cart, or other vehicle, or in any lot or parcel which may be sold or offered for sale in this city, and it shall also be the duty of such measurer or measurers, to examine all the lime so measured, and to judge of and ascertain the quality thereof, and to certify the same, together with the quantity, in writing, as hereafter provided; and before entering upon the duties aforesaid, he or they shall take an oath or affirmation before the mayor, faithfully and impartially to perform the same; and the said measurer or measurers may, when necessary, employ one or more assistants, to be approved by the

mayor, but before any such assistant shall proceed to discharge such duties, as shall be required of him, he shall take an oath or affirmation before the mayor, faithfully and impartially to perform the same.

Sec. 2. *Be it further ordained,* That hereafter it shall be unlawful for any person to deliver any lime sold, or for any person to receive any lime purchased, exceeding ten bushels, until the same has been measured, and the certificate of the measurer delivered for the same as aforesaid.

Sec. 3. *Be it further ordained,* That the standard bushel of lime, for the city of Cincinnati, shall be five pecks, or two thousand six hundred and eighty-eight cubic inches, and all measures used for measuring lime in said city, shall be adapted to the standard aforesaid, and shall be sealed by the city sealers conformably thereto, and if any person or persons, shall hereafter sell and deliver or cause to be sold and delivered, any lime in said city by other measures than the standard measure aforesaid, or by any measure not sealed as aforesaid, every person so offending shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution.

Sec. 4. *Be it further ordained,* That if any person or persons, shall hereafter sell or deliver, or cause to be sold and delivered, any lime exceeding ten bushels in upon or from any boat, wagon, cart, or other vehicle, or in any lot or parcel, within said city, without first having the same measured, or the number of bushels ascertained by a measurer or assistant as aforesaid, and obtaining his certificate therefor; every person so offending, shall, on conviction thereof before the mayor, forfeit and pay for each offence, any sum not exceeding twenty dollars, with costs of prosecution.

Sec. 5. *Be it further ordained,* That each measurer aforesaid, shall be entitled to the following fees for his services and use of his measures, viz: fifty cents for every hundred bushels (and at the same rate for any less quantity) of lime, which he shall superintend the measuring of as aforesaid, when measures are used, and six and a fourth cents for every load or parcel as aforesaid, not exceeding twenty bushels, and ten cents for every load or parcel exceeding twenty bushels, when the same is ascertained by measuring in bulk, which fees shall be paid by the seller; and upon payment thereof, the said measurer or assistant shall deliver the seller a certificate of the quantity and quality as aforesaid.

Sec. 6. *Be it further ordained,* That every measurer or assistant who shall refuse or neglect to perform any of the duties required by this ordinance, shall, upon conviction thereof before

the mayor, forfeit and pay any sum not exceeding fifty dollars, with costs of prosecution.

Passed 30th of January, 1835.

LOANS.

An ordinance providing for borrowing Money, and paying the Debts of the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the president of the city council for the time being, and the recorder of the city for the time being, be, and they are hereby appointed Commissioners, with full power and authority to advertise for, negotiate and obtain, in behalf of the city of Cincinnati, a loan of any sum not exceeding one hundred thousand dollars, in shares of one hundred dollars each, for the purpose of liquidating or funding the existing debts of said city; the principal of said loan to be redeemable at such period (not exceeding the term of forty years), and the annual interest thereon, (not exceeding six per centum), to be payable at such times and places, and in such manner as may be agreed upon between the subscribers and the commissioners aforesaid.

SEC. 2. *Be it further ordained,* That, for the payment of the annual interest accruing on any loan made by virtue of this ordinance, there shall be, and the same is hereby specifically appropriated such portions as may be necessary, of the yearly revenue of the city of Cincinnati, derived from wharves or public landings, and coffee house licenses; such appropriation to be convertible, and remain from year to year, until the city council shall, in lieu thereof, by ordinance or resolution, levy and cause to be collected, a tax upon the real and personal property in said city, sufficient for the payment of said interest, in conformity with the third section of the act of the legislature of the state of Ohio, passed February 14th, 1831, authorising said loan.

SEC. 3. *Be it further ordained,* That, after the expiration of thirty years, the sum of ten thousand dollars, annually, be, and is hereby appropriated from the whole yearly revenue of said city; the same to be invested in such manner as the city council for the time being may direct, so as to create a sinking fund for the eventual payment of said loan: And the faith of the city of Cincinnati is hereby pledged, that the portions of the city revenue, appropriated by this ordinance, shall not be diverted or reduced, so as to impair the security thereby afforded, for the regular discharge of the interest, and the final redemption of the principal, of the sum proposed to be borrowed.

SEC. 4. *Be it further ordained,* That the commissioners afore-

said, shall have full authority, after making suitable arrangements for the negociation of said loan, by inviting proposals, and opening stock and subscription books, in the usual manner, to contract with any person or persons, or body politic, who shall, in the opinion of said commissioners, submit the most advantageous offers (having due regard to the interest asked, and premium tendered) for the same: And they shall issue stock certificates, for whatever amount may be agreed upon, which shall forever bind the said city of Cincinnati, its property and revenues, until the said stock, and its interest, shall be fully redeemed and satisfied.

SEC. 5. *Be it further ordained,* That the certificates of stock, to be issued as aforesaid, shall be transferable at such place or places, and in such manner and form as the said commissioners shall direct; and said commissioners shall have power to appoint an agent or agents, within or out of the state of Ohio, to facilitate under their direction, the negociation of said loan, the transfer of stock, the payment of interest, and all other needful operations relating to the same.

SEC. 6. *Be it further ordained,* That so much as may be necessary, of any sum borrowed by virtue of this ordinance, be and the same is hereby pledged and appropriated, to the immediate payment of such portions of the existing debts of the city of Cincinnati, as may then be duly ascertained and acknowledged.

Passed 27th of May, 1831.

An ordinance to provide for a Loan to purchase lots and erect houses, for the use of Common Schools.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the president of the city council of the city of Cincinnati, for the time being, and the recorder of the city council for the time being, be, and they are hereby appointed commissioners, with full power and authority to negotiate and obtain, in behalf of the city of Cincinnati, a loan of fifty thousand dollars, for the purpose of purchasing lots and building school houses, as authorised by the "Act of the General Assembly of the state of Ohio," passed February 12th, 1829. The principal of said loan to be redeemable at such period of time, (not exceeding twenty years) and the annual interest thereon, (not exceeding six per centum) to be payable at such times and place, and in such manner, as may be agreed upon between the stockholders and commissioners aforesaid.

SEC. 2. *Be it further ordained,* That for the payment of the annual interest, and the final redemption of the principal of any sum borrowed by virtue of this ordinance, the amount of the special tax of one mill on the dollar, levied for the purpose of purchasing lots, and building school houses, on all the property

of said city subject to be taxed for state and county purposes, is hereby declared to be, and the faith of the city is hereby pledged, that it shall be a special and inconvertible fund for that purpose agreeable to the provisions of the act aforesaid.

SEC. 3. *Be it further ordained,* That the commissioners aforesaid shall have full authority, after making the arrangements necessary to obtain proposals for said loan, to negotiate and contract, with any person or persons, or body politic, who shall, in the opinion of said commissioners submit the most advantageous offers, (having due regard to the interest asked, and the premium tendered for the same, and they shall issue stock certificates for the amount of said loan, pledging the amount of the the special tax levied and collected as aforesaid, until the said stock and its interest shall be fully redeemed and satisfied.

SEC. 4. *Be it further ordained,* That the certificates of stock to be issued as aforesaid, shall be transferable at such place or places, and in such manner and form as the said commissioners shall direct; and said commissioners shall have power to appoint an agent or agents, within or without this state, to facilitate (under their direction,) the negotiation of said loan, and all other needful operations relating to the same.

SEC. 5. *Be it further ordained,* That the sum of fifty thousand dollars, loaned by virtue of this ordinance, be, and the same is hereby pledged and appropriated to the purchase of lots and the erection of school houses for the use of common schools in the city of Cincinnati, and for no other purpose whatever.

Passed 9th of May, 1832.

An ordinance to amend an ordinance entitled an ordinance to provide for a Loan to purchase Lots, and erect School Houses, for the use of Common Schools, passed May 9, 1832.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That the commissioners appointed by the ordinance to which this is an amendment, be, and they are hereby authorised, in lieu of the sum of fifty thousand dollars in the first section of said ordinance mentioned, to negotiate and obtain, in behalf the city of Cincinnati, a loan of any sum not exceeding seventy thousand dollars.

SEC. 2. *Be it further ordained,* That the said commissioners be authorised to provide that the said loan of seventy thousand dollars shall be irredeemable until after the expiration of forty years from the date thereof, and that in all other respects, the said commissioners shall be governed by the provision of the ordinance to which this is an amendment.

Passed 3d of June, 1832.

An ordinance to assess and levy a tax to pay the interest upon the loan of \$100,000, negotiated in October, 1831.

Whereas, By an amendment made to the city charter, on the 14th of February, 1831, the city council was authorised to borrow the sum of one hundred thousand dollars, and to assess and levy a tax in order to pay the interest accruing on said loan; which said loan was negotiated, and no provision made to pay the interest, other than by charging the same upon the ordinary revenue of the city, which without such charge is inadequate to the ordinary demands upon it; therefore,

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That there shall be assessed and levied a tax of one mill on the dollar upon the appraised value of all property, real and personal, within the city of Cincinnati, as the same has been or shall hereafter be returned and assessed upon the grand levy of the state of Ohio.

SEC. 2. Be it further ordained, That the county auditor be and he is hereby authorised to enter the said tax upon the duplicate of taxes for the year 1832 and every subsequent year; and the county treasurer is hereby authorised and required to collect and pay over the same to the city treasurer in the same manner in all respects as the other taxes of the city are collected and paid over.

SEC. 3. Be it further ordained, That the amount of the tax hereby assessed, shall be, and is hereby appropriated to pay the interest as the same shall become due upon the said loan of one hundred thousand dollars; and it is hereby made the duty of the city treasurer to keep separate and distinct accounts of the receipt and disbursement of said tax.

Passed 30th of June, 1832.

An ordinance for funding the present unfunded and floating Debt of the city of Cincinnati.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That a loan for the discharge and liquidation of the present unfunded and floating debt of the city, be, and the same is hereby proposed, in behalf of the said city, the sum of eighty thousand dollars, the same to be subscribed in stock of one hundred dollars per share, payable in not less than twenty-five years, nor more than fifty years, at such an interest, not exceeding five per cent. per annum, payable at such periods of time, and at such places, as shall be agreed upon between the subscribers and the commissioners hereinafter appointed to negotiate such loan.

SEC. 2. Be it further ordained, That for the payment of the interest on any loan made by virtue of the first section of this ordinance, there shall be levied and collected a tax, annually, of three-fourths of a mill upon the dollar, upon the real and person-

al property of said city, as the same has been or shall be appraised and returned on the grand levy of the state of Ohio, in addition to the other city taxes, now authorised to be levied and collected, and the fund thereby raised is hereby irrevocably pledged and appropriated to the payment of said interest.

SEC. 3. *Be it further ordained,* That the payment of the principal sum proposed to be borrowed as aforesaid, after the expiration of the term for which the loan shall be taken, as provided for in the first section, the sum of not less than ten nor more than twenty thousand dollars, as shall be agreed upon by the commissioners at the time of negotiating the loan, is hereby annually appropriated from the yearly revenue of said city, and the faith of the city of Cincinnati is hereby pledged, that the portion of the city revenue hereby appropriated for the purpose aforesaid, shall not be altered or reduced so as to impair the security hereby pledged for the payment of the interest, and the final redemption of the principal sum that may be borrowed under this ordinance.

SEC. 4. *Be it further ordained,* That if, from the increase of revenue otherwise, the tax so assessed as aforesaid, should hereafter exceed the amount due for interest, that the surplus shall be invested in such stocks as the commissioners may deem expedient or advisable, which stocks, with all the dividends accruing thereon, shall be specially appropriated for the payment of the said principal sum that may be borrowed as aforesaid.

SEC. 5. *Be it further ordained,* That the president and recorder of the city council, and their successors in office, be and the same are hereby appointed commissioners to create a stock and negotiate such loan upon the sums aforesaid, with any person or persons, or body politic, which stock, so created, shall forever bind the city of Cincinnati and its revenue until the said stock and its interest shall be fully satisfied.

SEC. 6. *Be it further ordained,* That the said commissioners shall issue certificates of stock for the money so borrowed, transferable at such place or places, as in the opinion of the said commissioners shall best promote the interest of the said city; and the said commissioners shall have power to appoint an agent or agents, within or out of the state of Ohio, to facilitate the obtaining of said loan, and the transfer of stock and all other operations relating to the obtaining said loan, and the payment of the interest thereon; and severally they shall have power to make all such arrangements relative to the obtaining said loan and the payment of interest thereon, the transfer, transmission and deposit of said money, as they may deem conducive to the interests of the said city of Cincinnati.

SEC. 7. *Be it further ordained,* That the sum of money hereby

specially appropriated, shall be paid into the city treasury and shall be kept distinct and apart from the other moneys of said city, and the accounts thereof shall be entered by the city treasurer in a separate book to be kept for that purpose; and all monies so appropriated and pledged on account of said loan, shall be paid over by the city treasurer, on the order of said commissioners.

Passed 18th of July, 1834.

MARKETS.

An ordinance extending Fifth street Space westward to Vine street.

Sec. 1. *Be it ordained by the City Council of the city of Cincinnati,* That from and after the 21st day of August, instant, so much of lots numbered one hundred and sixty-seven, and one hundred and ninety-two, on the original recorded plan of in-lots of said city, as lie northwardly of a line drawn from Walnut street to Vine street, parallel to, and seventy-five feet southwardly from Fifth street, shall be opened and laid out for a market place, and from thenceforth shall be used and improved as such.

Passed 13th of August, 1828.

An ordinance for the regulation of the Markets within the city of Cincinnati.

Whereas, by sundry ordinances of said city, heretofore passed, the buildings and spaces on Lower Market street, between Main and Broadway; on Fifth street, between Main and Vine streets; on Sixth street, between Western Row and Elm street; and on Tenth street, between Main and Vine streets, have been dedicated for public markets; therefore,

Sec. 1. *Be it ordained by the City Council of the city of Cincinnati,* That said buildings and spaces shall continue to be used for buying and selling provisions, vegetables, and other articles necessary for the sustenance, comfort and convenience of the inhabitants of the said city, subject to the following regulations and restrictions.

Sec. 2. *Be it further ordained,* That all articles of whatsoever description, intended to be sold in any of the markets aforesaid, shall be offered for sale in the market houses and spaces, on Lower Market street and on Tenth street, on Wednesdays and Saturdays; at the market on Fifth street, on Tuesdays and Fridays; at the market on Sixth street, on Mondays and Thursdays: and the market hours shall be from daylight in the morning until 12 o'clock, M., of each market day.

Sec. 3. *Be it further ordained,* That any person buying or selling, or causing to be bought or sold, any article of provis-

ions, corn, oats, or other article, intended for sale at the markets aforesaid, and which shall have arrived within the limits of the corporation, or at the said market places, before the hours of opening the same; or shall, during the market hours, sell or purchase, directly or indirectly, for exportation, distilling, or re-selling the same, or shall either directly or indirectly, sell or offer for sale any articles of provisions, corn, oats, or other article, at any of the markets in this city, which he, she, or they may have purchased and forestalled at any place whatever, while on their way to, and designed for said markets, shall, for each offence, on conviction thereof before the mayor, forfeit and pay any sum not exceeding fifteen dollars, with costs of prosecution.

SEC. 4. *And be it further ordained,* That no huckster, nor any person or persons, in his or her employ, shall be permitted to sell in either of the markets aforesaid within market hours, or at any other time, any provisions, goods, or merchandise, (vegetables of their own growth excepted), and no vegetables shall be sold in any place in said market houses or spaces, other than as shall be designated from time to time by the clerks of the markets; nor shall any wagon, cart, or sled loaded with hay, straw, or wood, be allowed to stand in any of the market spaces on market days, in this city, for the purpose of selling the same; and any person offending against the provisions of this section, shall, on conviction thereof before the mayor, be fined in any sum not exceeding ten dollars, with costs of suit.

SEC. 5. *Be it further ordained,* That there shall be kept at each of said markets, by the clerks thereof, one pair of large, and one pair of small scales, together with the necessary weights, to be furnished by the city, of the standard averdupois weight; and also one set of half bushel, peck, and half peck sealed measures; and one sealed gallon, quart, and pint measures, furnished as aforesaid; which shall be the standard weights and measures for all articles that may be offered for sale, by weight or measure in either of said markets. And if any person shall sell, or offer to sell, any unwholesome, damaged, or spoiled provisions of any kind, or any article at less weight, or measure, than the article so sold, or offered, really weighs, or measures, according to the standard of measures established by this ordinance, he, she, or they so offending, shall, for each offence, on conviction thereof before the mayor, forfeit and pay any sum not exceeding ten dollars, with costs of prosecution. *Provided,* that if any butter be offered for sale, in either of the markets aforesaid, purporting to be by the pound, which, if deficient in weight, the same having been first weighed by the said clerk, in the presence of two disinterested persons, householders in said city, and if it should appear to the said householders that the said butter is under

weight, the clerk of said market shall seize the same, and deliver it over to the trustees of the township of Cincinnati, for the use of the poor of said township.

SEC. 6. *Be it further ordained,* That it shall be unlawful for any person to sell, or exhibit for sale, in any of the market spaces, or on the side benches in the market houses aforesaid, any article of fresh meat, whatsoever, in any quantity less than the quarter; or to sell, or offer for sale, any ale, beer, cakes, or any cooked provisions, on or upon any of the side benches in either. And all sales of meat, in either of the markets aforesaid, not exceeding thirty pounds, if required to be weighed, shall be weighed by scales, and not by steelyards; and any person, or persons, who shall sell any meat contrary to the provisions of this ordinance, shall forfeit and pay for every such offence, on conviction thereof before the mayor, any sum not exceeding five dollars, with costs of suit.

SEC. 7. *Be it further ordained,* That no butcher, or other person, shall offer for sale any meat, or other articles of provisions, in either of the markets aforesaid, during the market hours in the other, under penalty of two dollars for every such offence, to be recovered on conviction thereof before the mayor, with costs of suit.

SEC. 8. *Be it further ordained,* That it shall be unlawful for any person or persons to slaughter, kill, or dress any animal within either of said markets, or to lay any garbage, offal, filth, or rubbish, in any part of the same; and every person so offending, shall be fined, on conviction thereof before the mayor, in any sum not exceeding ten dollars, with costs of suit.

SEC. 9. *Be it further ordained,* That from and after the passage of this ordinance, it shall be the duty of each butcher, or person using a butcher's stall, or side bench, in any of the markets in this city, to wash, scour, or otherwise properly cleanse the benches and blocks attached to his stall, and said side benches, every market day on which he, or she uses the same, by the hour of three o'clock in the afternoon, under the penalty of three dollars and costs, for each neglect thereof, to be recovered before the mayor, with costs.

SEC. 10. *Be it further ordained,* That from the first day of May until the first day of October, of each year, the butchers, and others who bring fresh meat, or fresh fish, to either of said markets, shall remove said meat or fish from the same, by 12 o'clock at noon, of each and every day during said term, under the penalty of any sum not exceeding five dollars, for each and every offence, to be recovered before the mayor, with costs of suit.

SEC. 11. *Be it further ordained,* That it shall be unlawful for any person or persons to be lying on any of the stalls, or side

benches, or lounging in or about either of the market houses in this city, under a penalty of any sum not exceeding ten dollars, with costs, to be recovered before the mayor.

SEC. 12. *Be it further ordained,* That there shall be appointed by the city council, at their first stated meeting in the month of May, annually, one or more suitable persons to act as clerks of the market, who shall hold their respective offices during the pleasure of the council, who shall, severally, before entering on the duties of their office, take an oath, and give bond to the city of Cincinnati, in the sum of one thousand dollars, with two responsible sureties, conditioned to perform all and singular the duties appertaining to their said offices, and to account for all fines and other monies that they may receive, for the use of the said city, while in the discharge of said duties. That it shall be the duty of said clerks of the markets, to cause the several market houses of which they have the charge, to be kept perfectly clean, and if any repairs are necessary to be made thereto, to report the same to the council; to cause wagons, teams, and other vehicles, to be so placed in the market streets, as best to suit the convenience of buyers and sellers; to take charge of, and safely keep the weights and measures belonging to the market houses, and neither to use, nor suffer the same to be used, for any other purpose than that of testing any suspected weights or measures; to preserve order during market hours; to prevent and remove all obstructions in said markets, and all nuisances found therein; to remove all vagrants and disorderly persons found loitering within or about said market houses, during market hours; and it shall be the especial duty of said clerks of the markets, to cause all offences against the provisions of this ordinance, and all ordinances that may be hereafter made, in relation to the said markets, to be prosecuted before the mayor: and to enable the clerks of the markets, to carry into effect their duties aforesaid, they shall be severally invested with the power of police officers of said city, during the time they are required to superintend said markets.

SEC. 13. *Be it further ordained,* That the said clerks of the markets, in case of wilful neglect, on their part, to perform any of the duties required of them as aforesaid, shall, on conviction thereof before the mayor, be fined in any sum not exceeding fifty dollars, with costs of suit.

SEC. 14. *Be it further ordained,* That the said clerks of the markets shall receive, as a compensation for their services, such sums as the city council shall from time to time allow.

SEC. 15. *Be it further ordained,* That if any person or persons, renting any stall or stalls, in any one of the market houses in said city, shall neglect or refuse to supply the market stall aforesaid,

with good fresh meats, (as usually kept) upon the days prescribed by the ordinance regulating the time of holding the markets, for four successive weeks, the said stall or stalls shall revert to the city, and the city council shall be authorised to dispose of the same as they shall think proper and expedient. *Provided*, that said ordinance shall not be so construed as to affect the right of any individual, or individuals, who may be absent on business, or necessarily prevented by sickness.

SEC. 16. *Be it further ordained*, That it shall be unlawful for any person or persons, to leave any wagon, cart, dray, or other vehicle, horse, or horses, to permit the same to stand within either of the market spaces during market hours, except such wagons, and the horses attached thereto, as are by direction of the clerk of the market stationed against the curb stones within said spaces: and it shall also be unlawful for any person or persons to hitch or tie any horse or other beast, to the railing or other parts of the market houses, or to break, injure, or in any way deface any part of said market houses, or the fixtures, or apparatus thereunto belonging, or to drive or ride any beast, wagon, or other carriage, through, or on the floor of either of said market houses; and every person offending against the provisions of this section, shall, for each offence, on conviction thereof before the mayor, forfeit and pay any sum not exceeding one hundred dollars, with costs of suit.

SEC. 17. *Be it further ordained*, That all fines against the provisions of this ordinance, shall be sued for, and recovered by an action of debt in the name of the city of Cincinnati.

Passed 3d of January, 1835.

MAYOR AND MARSHAL.

An ordinance to protect the Marshal in the execution of his duties.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati*, That if any person or persons shall resist or oppose the marshal, or his legally authorised deputy or deputies, in the enforcement of any of the ordinances of the corporation, he, she, or they shall, on conviction thereof before the mayor, forfeit and pay a sum not exceeding one hundred dollars, nor less than five dollars, for every such offence, at the discretion of the mayor.

Passed 24th of June, 1820.

An ordinance requiring the Mayor to keep a record of all Licenses issued by him.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati*, That it shall be the duty of the mayor to keep

a record of all licenses issued by him, specifying the time each license commenced, term of duration, and the amount paid for the same, together with the purpose for which it was granted.

Passed 12th of January, 1821.

An ordinance for regulating the fees of the Mayor and Marshal of the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That from and after the passage of this ordinance, the fees of the mayor for the several services herein mentioned, shall be as follows: For issuing a capias, warrant, or summons, under the corporation seal, twenty-five cents; for issuing a writ of subpoena for one witness, twelve and a half cents; for each additional witness, six and a fourth cents; for swearing each witness, six and a fourth cents; for taking recognizance of bail, twenty-five cents; for entering every continuance or adjournment at the request of a party, twelve and a half cents; for granting and entering a rule of reference, twelve and a half cents; for granting a copy of the same, twelve and a half cents; for issuing a bail piece, twelve and a half cents; for entering judgment, twenty-five cents; for drawing mittimus and seal, twenty-five cents; for issuing an execution, scire facias, attachment, or search warrant, with the seal or other process, not otherwise provided for, twenty-five cents; for taking an examination in writing, with seal, fifty cents; for issuing license, one dollar; for issuing permit, twenty-five cents; for taking the acknowledgement or proof of a deed, or other writing, and seal, twenty-five cents; for taking depositions, for every hundred words, twelve and a half cents; for certificate and seal thereto, fifty cents; for making out a transcript, or appeal, or certiorari, for every hundred words, twelve a half cents; for certificate and seal thereto, fifty cents; for entering an appeal or other removal, twelve and a half cents; for making up and taxing cost bill, twenty-five cents; for certificate and seal in cases not herein provided, fifty cents.

SEC. 2. *Be it further ordained,* That from and after the passage of this ordinance, the city marshal whilst acting under the mayor as constable, be entitled to receive such fees therefor, and no more, as constables are entitled to receive for similar services, by the laws of the state of Ohio.

SEC. 3. *Be it further ordained,* That each officer of this city, entitled to receive fees for his services, shall make out in a plain and intelligible manner, a table containing the amount and particulars of the fees, and hang the same up in a public part of his office.

Passed 1st of September, 1821.

An ordinance fixing the salaries of the Mayor and Marshal of the city of Cincinnati, and for other purposes.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That the mayor of said city shall receive a stated annual salary of twelve hundred dollars, to be paid quarter-yearly at the treasury, on the 10th days of July, November, February, and May; and the marshal of said city shall receive a stated annual salary of one thousand dollars, to be paid at the treasury on the days aforesaid; and for the year 1833, the first quarter of said salaries shall be computed from the 10th day of April of that year.

SEC. 2. That all fees received by the Mayor, under the city ordinances, for performing duties assigned to him by said ordinances, shall be accounted for and paid into the city treasury quarter-yearly, on the days named in the first section of this ordinance.

Passed 15th of May, 1833.

MEASURES.

An ordinance for the appointment of Measurers of Carpenters' and Joiners' work, Brick and Stone work, and Plastering and Painters' work.

SEC. 1. Be it, and it is hereby ordained by the Town Council of the town of Cincinnati, That all carpenters' and joiners' work, within the corporation of the said town of Cincinnati, shall be measured by two measurers, (or either of them,) to be appointed for that purpose, by the town council of the town of Cincinnati, aforesaid: *Provided* the parties interested cannot agree as to the quantity or quality of the work.

SEC. 2. And be it further ordained, That all brick and stone work, and plastering, within the corporation of the said town of Cincinnati aforesaid, shall be measured by two measurers, (or either of them,) to be appointed for that purpose, by the town council of said town of Cincinnati: *Provided* the parties interested cannot agree as to the quantity or quality of said work.

SEC. 3. And be it further ordained, That all painters' work, within the corporation aforesaid, shall be measured by two measurers, (or either of them,) to be appointed for that purpose, by the town council of the town aforesaid: *Provided* the parties interested cannot agree to the quantity or quality of said work.

SEC. 4. And be it further ordained, That the measurers of the before mentioned work shall be entitled to demand and receive for their services, for all sums under fifty dollars, three per cent.;

from fifty to one hundred dollars, two and a half per cent.; from one hundred to two hundred and fifty dollars, two per cent.; from two hundred and fifty to five hundred dollars, one and three fourths per cent.; from five hundred to one thousand dollars, one and a half per cent.; over one thousand dollars, one per cent.; the before mentioned prices of measurment to be paid in equal proportions by the parties interested.

SEC. 5. And be it further ordained, That the measurers appointed under this ordinance, shall, before they enter on the duties of their appointment, take an oath or affirmation before the mayor, faithfully and impartially to discharge the duties of their appointment.

SEC. 6. And be it further ordained, That if any person not authorised by the town council, and qualified as aforesaid, shall for fee or reward, measure any of the aforesaid work, every such person so offending, shall, on conviction thereof before the mayor, be fined in a sum not more than fifty dollars, nor less than five dollars, at the discretion of the mayor.

Passed 13th of March, 1818.

MISDEMEANORS.

An ordinance for the punishment of Misdemeanors.

SEC. 1. Repealed.

SEC. 2. And be it further ordained, That if any by-stander, when commanded by the marshal, shall refuse or neglect to aid him in apprehending and conveying to the mayor's office, any such offender, he shall, on conviction thereof, be fined in a sum not exceeding twenty nor less than five dollars.

SEC. 3. And be it further ordained, That if any person shall address any wanton or obscene language to another, or exhibit any wanton, lewd, or obscene gestures or conduct, he, she, or they, so offending, shall on conviction thereof before the mayor, be fined in a sum not exceeding twenty dollars.

SEC. 4. Repealed.

SEC. 5. Repealed.

SEC. 6. And be it further ordained, That if any person or persons shall abuse, injure, befoul, or corrupt any of the public wells, cisterns, or other public property of the corporation, he, she, or they so offending, shall, on conviction thereof, forfeit and pay a sum not exceeding twenty dollars.

SEC. 7. And be it further ordained, That fines incurred under the provisions of this ordinance, shall be paid into the treasury for the use of the corporation.

Passed 19th of June, 1815.

An ordinance to amend an ordinance entitled "An ordinance for the punishment of Misdemeanors."

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the marshal to suppress all riots, disorders, disturbances and breaches of the peace, and with or without process, to apprehend all disorderly persons or disturbers of the peace of said city, and forthwith convey them before the mayor, who shall hear and determine the complaint, and impose a reasonable fine on the offender, or offenders, not to exceed one hundred dollars. And it shall be the duty of the mayor, in case complaint shall be made before him of any disorderly conduct, or disturbance, or breach of the peace, to issue his warrant for the apprehension of the person or persons so complained of, and to fine him, her, or them, in a sum not exceeding one hundred dollars.

Passed 6th of December, 1821.

An ordinance to amend an ordinance "for the punishment of Misdemeanors," passed 19th June, 1815.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons shall injure, or do damage to any church or place of religious worship, or to any college edifice, market house, seminary, school house, or house containing any apparatus for the recovery of drowned persons, or any other house or building, or any of the fixtures belonging thereto, or to any fence, railing, or trees, within this city, whether either of the same be public or private property; the person so offending, shall, on conviction thereof before the mayor, be fined in any sum not exceeding one hundred dollars, with costs of prosecution; and shall moreover be liable to the party injured, for all damages arising therefrom, to be recovered before any court of competent jurisdiction.

SEC. 2. *Be it further ordained,* That it shall be unlawful for any person within the said city, to beat or otherwise injure any horse, mare, mule, ass, ox, or any other animal, in an immoderate, cruel, or unnecessary manner; and every person offending against the provisions of this section shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding one hundred dollars, with costs of prosecution.

Passed 3d of December, 1834.

NIGHTLY WATCH.

An ordinance levying a tax for supplying the city of Cincinnati with a Night Watch.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That from and after the 18th day of June, 1834, there shall be levied and collected, annually, in addition to the other taxes of said city, a tax of one mill on the dollar, upon the real and personal property in said city, valued or appraised and liable and subject to taxation for state and county purposes, as the same shall be returned on the grand levy of the state of Ohio, for supplying said city with a night watch, to be specially applied therefor and for no other purpose whatever.

Passed 18th June, 1834.

An ordinance to establish a Nightly Watch in the city of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That the president of the city council be, and is hereby authorised and required to appoint annually, three members of the board, who shall establish a nighty watch, within said city, in as regular and beneficial manner, for the general and equal use and interest of the city, as can be: *Provided*, that such nightly watch only be established, as shall, in the discretion of said committee, be deemed necessary, from the actual state and future progress of buildings and improvements within the city.

SEC. 2. *Be it further ordained,* That the committee, so as aforesaid to be appointed, shall constitute the Watch and Light committee, and from and after the passage of this ordinance, the said committee, shall annually nominate a captain and lieutenant, if necessary, of the nightly watch, to be approved of by the city council. It shall be the duty of the captain of the watch, to aid the watchmen in preventing burglaries, robberies, and other outrages and disorders within the city, and to that end, he and they are hereby empowered and required to arrest, and apprehend all persons whom they shall find disturbing the peace, or shall have cause to suspect of any unlawful and evil design, and shall take such person or persons, as soon as conveniently may be, before the mayor of the city, to be examined, and dealt with according to law; and the said captain or lieutenant, shall, at convenient hours of the night, go through the several wards, to take notice whether the watchmen perform their duties according to the orders and regulations, which are, or shall be made and adopted by the city council, or the Watch and Light committee for their

government, and in case any watchman shall misbehave, or neglect his duty, the said captain shall, as soon as conveniently may be, give notice thereof to the watch committee, or some one of them; and it shall be the duty of said Watch and Light committee, to hire and employ a sufficient number of able bodied men to watch the city, or such parts thereof as the said committee shall designate, and the said captain, lieutenant and watchmen, shall receive such compensation for their services as the city council may, by resolutions, from time to time direct, and the watchmen shall be liable, at any time, to be dismissed and others appointed, at the discretion of the said watch committee.

Passed 9th of July, 1834.

NUISANCES.

An ordinance to secure the health of the City, and to prevent Nuisances.

SEC. 1. *Be it ordained, and it is hereby ordained by and with the authority of the City Council of the city of Cincinnati,* That from and after the first day of December next, it shall not be lawful for any butcher or other person, to kill or slaughter any beeves, sheep, calves, hogs, or other animals, within said city, except the house, yard, pen, or place where killing shall take place, be paved with brick or stone, and the earth below it be made sufficiently solid to prevent its becoming the receptacle of filth and offensive matter. The pavement in every case shall be made with a descent towards a gutter, which shall pass through the same, and leading to a tub or reservoir, which shall be placed to receive the blood and offal passing therein, which shall be emptied at the end of each day when killing has been done on the premises; and moreover the whole shall be washed and cleansed also, at the end of every day: *And further,* that each slaughter house, or place occupied for the killing of animals aforesaid, shall be whitewashed at least once in each and every month, between the first of April and the first of November in each year.

SEC. 2. It shall be the particular duty of the health officer to attend strictly to the enforcement of this ordinance; and upon a failure to construct and regulate the slaughter houses and killing of animals in the manner aforesaid, or the existence of filth or offensive matter in said killing places, or their vicinity, he shall immediately complain thereof before the mayor; and the persons using or occupying the premises, and the owners of the soil, the lessees or renters, shall each and severally be considered as parties to answer the complaint. And every person or persons

convicted of offending against the provisions of this ordinance, shall be fined in any sum not exceeding fifty dollars, at the discretion of the mayor, for the use of the city.

Passed 12th of November, 1823.

An ordinance for the prevention of Nuisances in the city of Cincinnati.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That if any driver, owner, or person having the charge of any cart, dray, wagon, stage, or other vehicle, new or old, finished or unfinished, shall suffer the same to be and remain in any street, lane, alley, or common, within the city, in such situation as to interrupt the convenient passage of the same, or to incommodate the owner or occupant of any building, or shall stop any such cart, dray, wagon, stage, or other vehicle, so as to interrupt the crossing at the intersection of any street, lane, or alley, and shall not immediately remove the same, on request being made; or shall be absent from such cart, dray, wagon, stage, or other vehicle, if a horse or other beast shall be attached thereto so that such request cannot be made; any person so offending, shall for each offence, forfeit and pay any sum not exceeding five dollars, with costs of prosecution: *Provided*, that nothing in this ordinance shall be so construed as to interfere with market wagons on market days, and evenings previous thereto, while attending market.

SEC. 2. Be it further ordained, That if any person shall ride, drive, or lead a horse, mare, or gelding, mule, ass, or ox, or drive any carriage, wagon, dray, or other vehicle, on or across any paved side walk, or permit, or negligently suffer any of said animals to run away or go at large through the streets, lanes, alleys, or commons of this city, every person so offending, shall pay any sum not exceeding two dollars, with costs of prosecution: *Provided*, that so much of this section as relates to riding, driving, or leading animals on the side walks, shall not be so construed as to extend to side walks unimproved, either by paving, curbing, or gravelling.

SEC. 3. Be it further ordained, That any person riding, driving, or having charge of any horse, mare, or gelding, shall have strong reins or lines fastened to the bridle of his beast so as to restrain them from running, galloping, or going at immoderate rates, and no beast or beasts, shall be driven or rode, in the streets, lanes, alleys or commons at such immoderate rate as to endanger any person standing or walking in the same, and every person so offending, shall for each offence, forfeit and pay any sum not exceeding five dollars, with costs of prosecution.

SEC. 4. Be it further ordained, That it shall be unlawful to cast or leave exposed in any street, lane, alley, lot, common, or

water course within this city, the dead carcase of any animal, or any putrid or unsound beef, pork, fish, or other putrid or unsound substance, or make use, keep, or permit in his, her, or their dwelling house, shop, store, factory, out house, cellar, yard, lot, or any other place within said city, any nuisance or offensive liquid or substance, prejudicial to the health of the citizens, or an annoyance to the neighborhood; and every person offending against the provisions of this section, shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding twenty dollars, for each and every day that such nuisance shall be suffered to remain after being notified by the city marshal or street commissioner to remove the same.

SEC. 5. *Be it further ordained,* That no privy shall hereafter be erected in the city without a vault at least ten feet deep, nor shall the contents of any privy-vault be removed without first having received a permit from the street commissioner of the proper ward, and such permit shall name the time (day or night) in which it shall be removed, and the place where the contents shall be deposited; and every person offending against the provisions of this section, shall, on conviction thereof before the mayor, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution.

SEC. 6. *Be it further ordained,* That the city marshal, or his deputy, or the street commissioner of the district, shall and may, from time to time, enter into and examine, between sunrise and sunset, any building, cellar, lot of ground, vault, or privy, which they may know or believe to be foul, damp, or otherwise prejudicial to the public health, and they may direct the cleansing, altering, or amending the same, or the removal of all nuisances in and about the premises; and every person or persons who shall resist or obstruct such officer, or shall neglect or refuse to remove any such nuisance, when so directed, shall forfeit and pay any sum not exceeding twenty dollars, for each offence.

Passed 10th of December, 1834.

OFFICERS.

(See Board of Officers.)

PAVEMENTS.

(See Streets and Side Walks.)

PEDLARS AND HAWKERS.

An ordinance for licensing street Pedlars and Hawkers.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any street pedlar, Hawker, or other itinerant retail dealer in goods, wares or merchandise, to offer the same for sale in baskets, wallets wheel barrows, or otherwise, within the said city, without first having obtained a license from the city council. The application for said license to be accompanied by the signatures of at least ten freeholders recommending the applicant for honesty and sobriety of deportment; and every person receiving a license, shall procure a brass plate or other badge, with his or her name and number legibly inscribed thereon, which shall be in a conspicuous situation either about his or her person, or affixed to the basket, wallet, or vehicle.

SEC. 2. *Be it further ordained,* That it shall be the duty of the mayor to number all licenses granted to pedlars and hawkers, and issue the same on receiving from the applicant the treasurer's receipt for the amount required, and the payment of his usual fees: *Provided*, that nothing in the ordinance or in the license granted, shall be so construed as to entitle any person to the privilege of occupying a stand in the market houses, market spaces, streets, lanes, alleys, or commons, with table, bench, basket, or otherwise; and every person offending against the provisions of this ordinance, shall forfeit and pay, for each offence, a sum not exceeding twenty-five dollars, nor less than five dollars, with costs.

Passed 12th of December, 1832.

PORT WARDEN.

An ordinance to establish the office of Port Warden, and to regulate the duties thereof.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That on the first stated meeting after the passage of this ordinance, and on the first stated meeting in May in each succeeding year thereafter, the city council shall appoint one Port Warden, who shall, within ten days after his appointment, and before entering upon the duties of his office, take an oath or affirmation, before the mayor, faithfully to execute the duties of the office to which he shall have been so appointed, and shall receive from him a certificate of such appointment, and qualification.

SEC. 2. Be it further ordained, That it shall be the duty of such port warden, on the application of any person, to repair immediately on board of any boat, barge, or craft navigating the Ohio river, and landing within the limits of the city of Cincinnati, and to examine the condition of such boat, barge or craft. He shall also attend at the lading or unloading of any boat, barge, or craft, for the purpose of examining and surveying the condition and storage of the cargo or lading on board.

SEC. 3. Be it further ordained, That he shall also keep a fair record of all examinations and surveys made by him, and of his proceedings generally, done in the performance of his office, and give certified copies thereof, under his hand and seal, to any person applying for the same, which copies shall be deemed *prima facie* evidence of the facts therein duly stated.

SEC. 4. Be it further ordained, That on the discharging of any cargo from any boat, barge, or craft, under the provisions of this ordinance, the receiving or taking away of the same by the consignee thereof, without objections being first duly made on the part of such consignee, touching the condition of such cargo, shall be deemed *prima facie* evidence of the same good order and condition of the cargo, as when laden: *Provided*, that the consignee of such cargo, or part thereof, as the case may be, may within twelve hours after receiving the same, allege damages; in which case notice thereof shall be given to the captain or agent of the boat, barge, or craft, who shall select one competent person, and the consignee aforesaid shall select another competent person, who, together with the port warden, shall assess the damages, if any, whose award shall be made within three days from the day of giving notice as aforesaid, and shall be final and binding upon the parties interested therein: *Provided also*, that if the captain or agent of such boat, barge, or craft, shall in such case refuse to appoint such competent person, the said port warden and the person appointed by such consignee, shall assess such damage, if any, and their award shall be final and binding upon the parties interested: *Provided also*, that if such boat, barge, or craft having no agent in said city, shall leave the port before notice is given within said twelve hours, notice of the same may be given to the port warden within such time, whose duty it shall be to notify the captain or agent thereof, immediately on her first return thereafter to said port, that damages are claimed as aforesaid, and in such case said parties shall cause such assessment and award to be made within three days thereafter.

SEC. 5. Be it further ordained, That said port warden shall receive for each examination and survey he shall so make, with a certificate thereof, the sum of three dollars, and for every copy

of his proceedings, the sum of one dollar, to be paid by the party applying for the same; and said port warden, together with the person so selected by the captain or agent of the boat, barge, or craft, and consignee as aforesaid, to make such assessment, shall receive the sum of two dollars each, to be paid by the parties equally, all of which fees shall be recovered, on neglect to pay the same, before the mayor of said city, with costs.

Passed 10th of December, 1834.

RACING.

(See Horses.)

ROAD AND DOG TAX.

An ordinance for the appointment of Collectors of Road, Dog, and Special Taxes.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That the city shall be divided into two collection districts, by Main street, from the river to the corporation line. All that part of the city situate on the eastern side of Main street, shall be denominated the Eastern district; and all that part of the city situate west of Main street shall be denominated the Western district.

SEC. 2. *Be it further ordained,* That at the first regular meeting of the council after the passage of this ordinance, and on the third Wednesday in April, in each succeeding year thereafter, there shall be appointed an Assessor and Collector for each collection district, each shall take the oath of office required by the charter, and each before he enters on the performance of his duties, shall give bond in the sum of five thousand dollars, with two securities to be approved of by the city council, conditioned for the faithful performance of all duties that are, or that during his continuance in office may be assigned to him by the ordinances of the city. Each assessor and collector shall receive as compensation for his service, twenty per centum, from the amount received into the treasury from his assessment.

SEC. 3. *Be it further ordained,* That it shall be the duty of said assessors and collectors, to proceed forthwith after their qualification, in every year, to assess and demand, and receive payment of the road tax, and the tax upon dogs. In making an assessment, the names of the person shall be entered in a proper list, and the place of residence shall be annexed. In demanding payment, the party shall be informed that if payment be not

then made, or made to the assessors without further call, or to the city treasury, within ten days, the assessment will be presented to the mayor, and a suit commenced against the delinquent. And in all cases, where the person (liable to pay the aforesaid tax) cannot be seen by the assessor, a written or printed notice shall be left at the usual place of abode of such person, giving the information required by this section; and the time of such demand shall be noted opposite the names of the delinquent.

SEC. 4. *Be it further ordained,* That on the Monday of each week, on the morning of each day, (if the collector should deem it advisable to do so) the collector shall return the assessments of the preceding week, or day, to the city treasurer, who shall enter and make duplicate lists of said assessments in alphabetical order, and preserve the assessor's lists for his after use, if it should be needed; and it shall further be the duty of the assessors and collectors on the Monday of every week, to pay to the city treasurer the amount of moneys he may have collected the preceding week, and take his receipt therefor. And it shall be the duty of the city treasurer to certify to the mayor from day to day, the names of delinquents, when payment be not made within ten days from the day of the demand, upon which certificate the mayor shall institute a suit in the name of the city against the delinquent, and shall proceed to judgment and execution for the tax and mayor's and marshal's fees, as in other cases.

SEC. 5. *Be it further ordained,* That if any person shall refuse to give his proper name to the collector when it shall be demanded of him, or shall assume the name of some other person, or shall assert that he belongs to any of the companies of the fire department, (when at the time he does not), the person so offending, shall, on conviction before the mayor, be fined in the sum of five dollars.

SEC. 6. *Be it further ordained,* That every person keeping a boarding-house, or manufactory of any description, shall give the names of all persons in their employ or boarding with them, to the collector when demand shall be made for such names; and every keeper of such boarding-house, or manufactory, who shall refuse to give the names of persons as required in this section, shall, on conviction thereof before the mayor, be fined in the sum of three dollars for each name refused to be given to the collector.

SEC. 7. *Be it further ordained,* That for all sums of money under this ordinance, the marshal shall account to the mayor, who shall account to the city treasurer, weekly, at the time and manner that the collectors account for monies collected by them.

Sec. 8. *Be it further ordained,* That every male inhabitant of the city of Cincinnati, between twenty-one and sixty years of age, who has resided three months within the state, and who is not a township charge, wishing to avail himself of the privilege of working out his road tax, shall report himself to the street commissioner of his proper district, and under his direction perform two full days' labor in his own proper person, before the fourth day of July in each year, and obtain his certificate therefor.

Sec. 9. *Be it further ordained,* That so much of the city ordinances as vests the assessing and collecting of taxes in the street commissioners, are hereby repealed.

Passed 26th of June, 1833.

An ordinance to amend an ordinance entitled an ordinance for the appointment of Collectors of Road, Dog, and Special Taxes.

Sec. 1. *Be it ordained by the City Council of the city of Cincinnati,* That every person liable to pay a road tax, and wishing to avail himself of the privilege of working out such tax, shall report himself to the street commissioner of the district, and perform in person two full days' labor, on or before the tenth day of June of the present year; and on or before the first day of May, in each year thereafter, and obtain a certificate thereof from the street commissioner, which shall be received by the collector in payment of such road tax.

Sec. 2. *Be it further ordained,* That so much of the eighth section of the ordinance, &c., appointing collectors of road, dog, and special taxes, passed 26th of June, 1833, as is contrary to, and inconsistent with the provisions of this ordinance, be, and they are hereby repealed.

Passed 28th of May, 1834.

SABBATH DAY.

(See Immorality.)

SALT.

An ordinance to regulate the weighing and selling of Salt.

Sec. 1. Repealed.

Sec. 2. *Be it further ordained,* That if any person or persons, shall, within the limits of the city of Cincinnati, sell salt, or cause to be sold any salt, and charge the buyer for a greater number of pounds than the salt thus sold really weighs, accord-

ing to the standard of weights established by law, any person or persons so offending shall forfeit and pay for every such offence, on conviction thereof before the mayor, any sum not less than ten, and not exceeding twenty-five dollars, with costs of suit.

Passed 25th of November, 1829.

An ordinance to amend the ordinance entitled an ordinance to regulate the weighing and selling of Salt.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That all venders of salt, within the city aforesaid, shall weigh each and every barrel of salt at the time of sale, and at the same time, mark, or cause to be marked on the head of each barrel of salt, the gross weight, and shall allow for tare *twenty-eight pounds* on all barrels of salt weighing three hundred pounds, and under; on barrels of salt weighing four hundred pounds, and over three hundred pounds, thirty pounds tare; and on all barrels of salt weighing more than four hundred pounds, forty pounds tare; and any person or persons, who shall sell or cause to be sold salt, contrary to the provisions of this section, shall forfeit and pay for every such offence, on conviction thereof before the mayor, any sum not less than ten, and not exceeding twenty-five dollars, with costs of suit.

Passed 7th of August, 1833.

SPECIAL TAXES.

An ordinance to provide for levying and collecting Special Taxes for opening, paving, repaving, improving, and lighting the city of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That hereafter every petition to the city council for a special tax to be levied and collected from the real estate of any section, square, or part of a square of said city, for the purpose of opening, paving, repaving, grading, lighting, or improving any street, lane, alley, or space bounding on the same, shall contain the names of all the owners of real estate in such section, square, or part of a square, bounding on such street, lane, alley, or space, and a particular description of such parts thereof which it is intended shall be opened, paved, repaved, graded, lighted or improved, and the number of feet that belong, at the time, to each owner of the real estate, bounding thereon, together with the grade of light required, as hereinafter specified; and such petition shall be subscribed by at least two thirds of all the owners of the real estate, from which such tax is to be levied and collected; and upon such petition being presented to the

city council, for paving, repaving, grading, or improving any street, lane, alley, or space, as aforesaid, they shall direct the city surveyor to ascertain and report an estimate of the expense thereof, and if the city council shall deem it expedient to levy and collect such a special tax, they shall direct the terms, conditions and manner of its being done.

SEC. 2. *Be it further ordained,* That when any contract shall have been entered into by authority of the city council, for grading, paving, repaving, or improving as aforesaid, it shall be the duty of the city clerk forthwith to make out a list of all the names of the owners of real estate, and the number of feet owned by each as described in such petition, and he shall assess on each front foot of said real estate, such sum as shall raise the whole amount required for such lights, grading, paving, repaving, or other improvement, and deliver a copy of said assessment to the city treasurer; and it shall be the duty of the city clerk to deliver the list of assessment to the individual having the contract for doing said work, or to the city collector for collection; which assessment shall be paid in four equal payments, on the first of January, April, July, and October, commencing with the first day of either of said months which may first ensue after the completion of such contract.

SEC. 3. *Be it further ordained,* That when a petition for lighting any street, lane, alley, or space, as aforesaid, shall be granted by the city council, it shall be the duty of the Watch and Light committee, to cause the same to be carried into effect, by erecting the number of lamps required on the foot-way, or across the streets, lanes, alleys, or spaces, and causing them to be properly lighted and provided with oil, wick, and other necessary materials, and shall ascertain and report to the city clerk an estimate of the expense of such contemplated light for the remainder of the current year, and the clerk shall immediately thereupon, make a list of the names of the owners of real estate, (describing the lot or parcel owned by each,) in such section, square, or part of a square, at so much per front foot, as will raise the same, and deliver such assessment to the city collector for collection, and all monies received under the provisions of this section, shall be specially applied to the purposes for which the same may be collected, and for no other.

SEC. 4. *Be it further ordained,* That if any person or persons shall wilfully or maliciously break, throw down, or extinguish any lamp, set up or suspended by the city, or shall wilfully or maliciously damage the post, iron, or any furniture thereof, or shall overthrow, or otherwise injure, remove, or carry off any watch box, lamp, lamp post, or any thing pertaining thereto, within the city, each and every person so offending, and every person

aiding or concerned in such offence, shall forfeit and pay for each offence, the sum of ten dollars; and if any person shall, undesignedly or accidentally break, throw down, or extinguish any lamp, or injure any post, iron, watch box, or any thing pertaining thereto, and shall fail to give notice thereof to the commissioner of the ward, or to one of the members of the watch and light committee, and pay the damage thereby incurred, immediately after the committing such injury, every such person, shall forfeit and pay double the amount required to pay for such damages and repair the injury done; *Provided*, that nothing herein contained, shall prevent recourse to, or discharge any person so maliciously and wilfully offending, from paying the full amount required to repair the injury, over and above the penalty so as aforesaid incurred.

SEC. 5. *Be it further ordained*, That the grade of light shall be as follows:

First grade shall consist of four lamps to each square of 400 feet.

Second grade shall consist of three lamps to each square of 400 feet.

Third grade shall consist of two lamps to each square of 400 feet.

SEC. 6. *Be it further ordained*, That when the city council shall grant any petition as aforesaid, for the purpose of opening any street, lane, alley, market place, or landing, the real injury sustained thereby, shall be ascertained, assessed, and finally determined, (if application be made for that purpose, within six months from the date of such assessment,) by five disinterested freeholders of said city, under oath or affirmation, or any three or more of them shall assess such injury at its true value in money, taking into consideration all the advantages that such property will derive from such improvement; two of them to be appointed by the person or persons who may be so injured; two by the city council, and one by the four thus appointed, who shall return their proceedings, together with all expenses incurred thereby, to the office of the city clerk, and on the return being made as aforesaid, it shall be the duty of the city clerk to assess the amount of the return aforesaid, together with the expense of assessing and collecting the same, on the real estate, binding on said street, lane, alley, market place, or public landing, and the assessment so made, shall be filed in the office of the city clerk, for the examination of the persons interested therein, within twenty days from the time of filing the same, and shall be subject to alteration and revisal by the city council, on complaint of any of the parties, of injustice having been done in levying said tax; and on the expiration of the time aforesaid,

the city clerk shall make out and deliver a certified copy thereof to the city collector, who shall immediately proceed to collect said tax, or to demand payment thereof of the owners or occupants of such real estate.

SEC. 7. *Be it further ordained,* That if the owner or owners, occupant or occupants of any real estate, subjected to the payments of any taxes for opening, paving, repaving, or lighting any street, alley, market space, or public landing, by virtue of this ordinance, shall neglect or refuse to pay such tax when due, as aforesaid, it shall be the duty of the city collector, forthwith to report every such delinquent to the mayor, who shall immediately issue a summons, as in an action of debt in favor of the city of Cincinnati, against the owner or owners of such real estate, which summons shall be served and returned by the marshal, as in other cases; and if upon return of such summons "served," it shall appear to the satisfaction of the mayor, that such tax has not been paid, he shall enter judgment therefor against such delinquent owner, with interest from the date of the assessment, and costs, and issue execution as in other cases.

SEC. 8. *Be it further ordained,* That if upon any summons issued as aforesaid, the marshal return the defendant is not a resident of this city, or if, upon execution issued as aforesaid, the marshal shall return "no goods," it shall be the duty of the mayor to issue a warrant directed to the marshal, commanding him to seize the real estate upon which such tax shall have been charged as aforesaid, and sell by public auction, so much of the same, to such persons as will pay said tax, with interest from the date of the assessment, together with all costs accruing thereon; which shall be executed by the marshal according to the command thereof, and shall within sixty days from the date thereof, be by him returned to the mayor, who shall examine the same: and if, upon such examination, the mayor shall be satisfied that such sale has been publicly and fairly made, in conformity to the provisions of this ordinance, he shall execute and deliver to such purchaser, a deed in fee simple under his hand and official seal, granting to such purchaser, his heirs, and assigns, such real estate so sold as aforesaid; *Provided*, that no sale shall be made as aforesaid unless public notice of the time and place thereof shall have been given by advertisement, published in one or more of the newspapers printed in this city, at least once every week, for at least six weeks previous to the day of sale, which advertisement shall contain a description of the real estate seized, the amount of tax due thereon, and the name or names of the delinquent owner or owners, if known; and if from any cause, a sale should not be effected on the first warrant, the mayor shall renew the same.

SEC. 9. *Be it further ordained,* That when any lot, or part of lot, or other real estate, shall be sold for tax under this ordinance, the owner or owners thereof, at the time of the sale, his, her, or their executors, administrators or assigns, shall have the right to redeem the same at any time within one year from the date of such sale, by paying to the purchaser thereof, his or her heirs, executors, administrators, or assigns, the amount of tax and costs for which the said lot or part of a lot, or real estate, was sold, and the costs of the mayor's deed therefor, with interest on said money until paid, together with the additional sum of twenty-five per cent. on the amount of said tax, interest, and costs: *Provided*, that any infant feme covert, or any person imprisoned or absent from the United States, at the time of such sale, shall be entitled to the right of redemption, under the provisions of this section, at any time within one year after the removal of such disability of infancy, coverture, imprisonment or absence.

SEC. 10. *Be it further ordained,* That whenever the tax, interest, costs, and penalties, are tendered to the purchaser of any lot, or part of a lot, or to his heirs, executors, administrators or assignee, agreeably to the provisions of the preceding section, such purchaser, his heirs, executors, administrators, or assignee, shall convey, by a deed of release and quit claim, to such person entitled to redeem the same, the title vested by such sale for taxes, in such lot or part of a lot, and shall surrender the possession of each lot or part of a lot to the person or persons entitled thereto.

SEC. 11. *Be it further ordained,* That every judgment creditor who has a lien upon any lot or part of a lot sold for taxes, shall have the same right to redeem the same, as the owner thereof shall by this ordinance be entitled to.

SEC. 12. *Be it further ordained,* That all moneys received by the collector, under the provisions of this ordinance, shall be paid over to the city treasurer, within five days after the receipt thereof; and all moneys received by the mayor or marshal, under the provisions aforesaid, excepting their costs, shall be forthwith paid over to the city collector.

SEC. 13. *Be it further ordained,* That all grounds within said city, where water shall at any time become stagnant, shall be raised, filled up, or drained; and it is hereby made the duty of the street commissioners, of their respective wards, when directed by the city council, to give written notice to the proprietor or proprietors, or to his, her, or their agent, if residents of said city; and to non-resident proprietors, who have no agent therein, by a publication in one of the newspapers of a general circulation, and printed in said city, for the period of six weeks,

of all or any ground subject at any time to be covered with stagnant water, to fill up, raise, or drain such grounds at his, her, or their expense, and to such height, and in such manner as may be designated by said city council; which shall be so done within twenty days after the service of such written notice, or the expiration of the time limited for the publication aforesaid.

SEC. 14. *Be it further ordained,* That if such proprietor or proprietors, or his, her, or their agent, shall refuse or neglect to fill up, raise, or drain such grounds, in such manner, and within the time limited for the doing thereof as aforesaid; the street commissioners of their respective wards, shall do the same, at the expense of the city, and report the amount thereof with all costs arising thereon, to the city council, which the said council shall assess, together with twenty-five per cent. penalty on the same, on the lot or lots of ground so filled up, raised, or drained, and the city clerk shall place the assessment so made in the hands of the city collector, who shall proceed to collect the same by a sale of such lot or lots, if not otherwise paid, in the same manner, with the same powers, and under the same regulations, and shall make good and sufficient deed therefor, to the purchaser, subject to the same right of redemption by the proprietor or proprietors, their heirs or assigns, as the law prescribes, for the time, for the sale of lands for the non-payment of state and county taxes.

SEC. 15. *Be it further ordained,* That every petition presented to the city council for opening, paving, improving, and lighting any street, lane, alley, market place, or public landing, or any part of the same, shall be accompanied with an agreement, conditioned that if after the city council shall have granted the prayer of the petitioners, it shall be ascertained that such condition does not contain the names of all the owners of such real estate, and that two thirds of such owners had not subscribed, for such opening, paving, repaving, improving, or lighting, that then, and in such cases said petitioners will pay their respective proportions of the whole amount of the expense called for by such petition, to be levied and collected from the real estate owned by the subscribers to said petition, agreeable to an assessment which shall be made for that purpose by the city clerk aforesaid.

SEC. 16. *Be it further ordained,* That for all services rendered by the mayor or marshal in the execution of this ordinance, they shall be entitled to the same fee, as they are by law entitled to for similar service, in like cases, to be charged and collected as aforesaid.

SEC. 17. *Be it further ordained,* That an ordinance on the subject of special taxes, passed May 10th, 1827; "An ordinance on the subject of petitions for opening streets, lanes, and alleys,"

passed August 8th, 1827; "An ordinance to provide for the collection of special taxes, for opening and paving streets," passed April 15th, 1829; An ordinance to amend the ordinance on the subject of special taxes, passed May 10th, 1827, and all other ordinances and parts of ordinances coming within the perview of this ordinance, be and the same are hereby repealed.

Passed 5th of November, 1834.

STEPS AND PORCHES.

An ordinance to permit the erection of Steps and Porches in certain cases.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be lawful for the owner or occupier of any building already erected, and situate on any street which has been reduced by direction of the city council, to erect such steps or porch as may be necessary for convenient access to such building, any ordinance of said city, now in force, to the contrary notwithstanding; *Provided*, that this ordinance shall not be extended to authorise the erection of any step or porch in such manner as that the same or any part thereof shall extend into or over the street or side walk, more than four feet from the line of the street.

Passed 21st of October, 1829.

STONE COAL.

An ordinance to regulate the measuring of Stone Coal.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That there shall be appointed annually, by the city council, a suitable person to superintend the measuring of stone coal; and it shall be the duty of the person so appointed, to provide and keep for use, at his own expense, a sufficient number of measures of convenient size, and to be ready with the same at all times, for measuring stone coal, and to superintend the measuring, or to ascertain the number of bushels of any boat load, lot, or parcel, of stone coal, which may be sold or offered for sale, in the city of Cincinnati, when thereto required: and before entering upon the duties aforesaid, he shall take an oath or affirmation before the mayor, faithfully and impartially to perform the same; and the said superintendent, may when necessary, employ one or more assistants, to be approved by the mayor: but before any such assistant shall proceed to discharge such duties as shall be

required of him, he shall take an oath or affirmation before the mayor, faithfully and impartially to perform the same.

SEC. 2. *Be it further ordained*, That the standard bushel of stone coal, for the city of Cincinnati, shall be five pecks, or two thousand six hundred and eighty-eight cubic inches, and all measures used for measuring stone coal in said city, shall be adapted to the standard aforesaid, and shall be sealed by the county sealer, conformably thereto; and if any person or persons shall hereafter sell and deliver, or cause to be sold and delivered, any stone coal in said city, by any other measure than the standard measure aforesaid, or by any measure not sealed as aforesaid, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding twenty dollars, nor less than five dollars, with costs of prosecution.

SEC. 3. *Be it further ordained*, That if any person or persons, shall hereafter sell and deliver, or cause to be sold and delivered, any stone coal in, upon, or from any boat or raft at the river, within said city, without first having the same measured, or the number of bushels ascertained under the superintendence of, or by the person appointed for that purpose by the city council, and obtaining his certificate as herein provided; every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding twenty dollars, nor less than five dollars, with costs of prosecution: *Provided*, that this section shall not operate to affect any special agreement made by the purchasers and sellers of coal, in relation to the measurement thereof, where it is contracted for by the boat load.

SEC. 4. *Be it further ordained*, That the superintendent aforesaid, shall be entitled to the following fees for his services and for the use of his measures, viz: thirty cents for every hundred bushels, (and at the same rate for any less quantity) of stone coal, which he shall superintend the measuring of as aforesaid when measures are used, and ten cents for every hundred bushels of stone coal, when the number of bushels shall be ascertained by measuring in bulk, which fees shall be paid by the seller, and upon payment thereof, the said superintendent shall deliver the seller a certificate stating the number of bushels of stone coal measured or contained in the boat load, lot or parcel, as the case may be.

Passed 26th of December, 1827.

An ordinance to amend an ordinance to regulate the measuring of Stone Coal, passed
26th December, 1827.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the measurer of Stone Coal, to certify in the certificate of the quantity, the quality of the coal, rating the same, first, second, or third, as may be.

SEC. 2. *Be it further ordained,* That the provisions of this ordinance, as well as the provisions of an ordinance to which this is an amendment, shall apply to, and be operative on the vender or owner of all stone coal sold or hauled within the city of Cincinnati.

Passed 19th of December, 1832.

STREET COMMISSIONERS.

For the appointment of Street Commissioners for the different Wards.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That for the purpose hereinafter mentioned, the said city shall be divided into five districts, and each ward shall constitute a district, and be denominated, first, second, third, fourth and fifth districts.

SEC. 2. *Be it further ordained,* That on the second stated meeting in May, in the present year, and on the first stated meeting in May, in each succeeding year, thereafter, the city council shall appoint one street commissioner for each ward or district aforesaid, who shall, within ten days after their appointment, and before entering upon the duties of their office, take an oath or affirmation before the mayor, faithfully to execute the office of supervisor, and severally give bond to the city of Cincinnati, in the penal sum of two thousand dollars each, with at least two responsible sureties, to be approved by the city council, conditioned for the faithful discharge of the duties of their said office; and each and every street commissioner so appointed shall hold his office at the will and pleasure of the city council, and shall receive for his services three hundred and fifty dollars per annum.

SEC. 3. *Be it further ordained,* That it shall be the duty of the street commissioners to make report to the city council of all grounds within their respective districts, where water shall at any time become stagnant, with a particular description of each and every such lot or part of a lot of ground, and the names of the proprietors thereof respectively; and under the direction of the city council, to superintend the raising, filling up, or draining

the same; and under the direction of the city council, to superintend the grading of all commons, streets, lanes, or alleys, and paving and cleansing the same; the abatement and removal of all nuisances; the employment of laborers and teams, and to conduct their work under the direction of the members of the city council belonging to the ward or district where the work is to be done; and the several street commissioners shall discharge such other duties as the city council may direct.

SEC. 4. Repealed.

SEC. 5. Repealed.

Passed 8th of May, 1830.

STREETS AND SIDE WALKS.

An ordinance fixing the width of Pavements.

SEC. 1. *Be it, and it is hereby ordained by the Town Council of the town of Cincinnati,* That the width of the side walk or pavement, on the north side of Front street, between Main street and Broadway, shall be twenty feet. The side walk or pavement on both sides of Broadway, as far as the same is one hundred feet in width, viz: as far north as Fourth street, shall be sixteen feet, and on all other streets within the town, which are as much as sixty-six feet in width, the width of the side walk or pavement shall be thirteen feet on each side; and on all other streets within the town, the width of the side walk or pavement, on each side, shall be in the proportion of thirteen feet to sixty-six feet.

Passed 13th of June, 1817.

An ordinance to amend an ordinance entitled "An ordinance fixing the width of Pavements," passed the 13th day of June, 1817.

Be it, and it is hereby ordained by the City Council of the city of Cincinnati, That the width of the side walk on the west side of Main street, between Front and Water streets, shall be sixteen feet, and that all ordinances and parts of ordinances coming within the purview of this ordinance, be, and the same are hereby repealed.

Passed 10th of November, 1824.

An ordinance to regulate the use of the Side Walks in the city of Cincinnati

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person or persons to roll any wheelbarrow upon any side walk in this city, under the penalty of any sum not exceeding ten dollars, to be

recovered before the mayor, with costs of suit: *Provided*, however, that it shall not be unlawful to use a wheelbarrow in merely crossing the side walk.

SEC. 2. *Be it further ordained*, That it shall be the duty of any person or persons who shall hereafter weigh any iron or steel in the streets of this city, to have his, her, or their scales or steel-yards placed in such a manner that the bars of iron or steel shall not, when lying on the scales or other fixture for weighing, or on the street, project over, or lay upon more than twelve inches of any side walk in this city; and any person or persons who shall offend against this section, shall be fined in any sum not exceeding fifty dollars, nor less than five dollars, with costs of suit. And it is hereby made the duty of the marshal, his deputy, and the health officers, to enforce this ordinance.

The first section of this ordinance shall take effect and be in force from and after the passage thereof; and the second section shall take effect and be in force from and after the first day of October next ensuing the date of this ordinance.

Passed 14th of September, 1825.

An ordinance providing for the abatement and removal of Nuisances; to keep the streets, lanes, alleys, and commons of the city of Cincinnati, open and in repair, and to regulate the use of the Side Walks.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati*, That if any person or persons shall hereafter make and set up, or cause to be made and set up in any street, lane, or public alley within said city, any step, cellar door, or cellar way, more than four feet from the line of the street into the side walk or street, or more than three feet from the line of such alley into the same; and if any person or persons shall hereafter make and set up any porch, bulk, jut window, or other incumbrance whatsoever, whereby the passage of any street or alley as aforesaid shall be obstructed, or shall so place, or cause to be placed, any spout or gutter, whereby the passage of any street or alley as aforesaid, shall be incommoded, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding twenty dollars, and shall forthwith remove such nuisance, or cause the same to be removed; and if any person or persons convicted of any offence, as aforesaid shall neglect or refuse to remove such nuisance, or cause the same to be removed as aforesaid, every person so offending, on conviction thereof before the mayor, shall, for every day such nuisance shall remain after the first conviction as aforesaid, forfeit and pay the sum of ten dollars, with costs of prosecution.

SEC. 2. *Be it further ordained*, That if any person shall here-

after set up or place any sign, sign post, board, pole, or other device, or thing whatsoever, (except such persons shall keep a public inn for the entertainment of travellers, with their horses) to denote or show his, her, or their place of residence, or his, her, or their occupation or business, or the merchandise or things which he, she or they hath or have to dispose of, in any of the streets, lanes, or alleys aforesaid, or which shall extend from the line of the street or building into or over such street, lane, or alley, more than eighteen inches: or if any person or persons, (except as before excepted) to whom any sign, sign post, board, pole, or other device or thing, as aforesaid, already set up and placed as aforesaid, into or over such street, lane, or alley, more than eighteen inches, as aforesaid, belongs, shall permit or suffer the same to remain set up and placed in any of the streets, lanes, or alleys as aforesaid, and extend into or over the same more than eighteen inches aforesaid, after the first day of November next, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution, and shall take down and remove the same; and if any person or persons convicted of any offence as aforesaid, shall neglect or refuse to take down and remove any such sign, sign post, board, pole, or other device or thing as aforesaid, every person so offending, on conviction thereof before the mayor, shall, for every day such sign, sign post, board, pole, or other device or thing as aforesaid, shall remain after the first conviction as aforesaid, forfeit and pay the sum of ten dollars, with costs of prosecution: And the street commissioners severally are hereby authorised, empowered, and required to remove or cause to be removed, all manner of obstructions to the passage through the streets, lanes, or alleys aforesaid, which they or either of them shall find remaining on the same an unnecessary length of time.

SEC. 3. Repealed.

SEC. 4. *Be it further ordained,* That if any blacksmith or other person shall cause any horse, mare, or gelding, to stand in any of the streets, lanes, or alleys aforesaid, whilst he is shoeing or preparing to shoe, such horse, mare, or gelding, every such blacksmith or other person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding five dollars, with costs of prosecution.

SEC. 5. *Be it further ordained,* That if any person or persons shall hereafter set up, place, or fix any post or posts, rail or rails, in any of the streets, lanes, or alleys aforesaid, for the purpose of fastening thereunto any awning, or erect any shed or awning of boards into or over any part of any of the streets, lanes, or alleys aforesaid, or to drop any awning nearer to the top of the

curb stone than seven feet, and suffer the same to continue so as to incommod the citizens or to obstruct the view from the side walk into or across the street, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution: and all such posts, rails, sheds, and awnings already set up or erected, are hereby declared to be common nuisances; and it shall be the duty of the owner or owners thereof, and they are hereby required to take down and remove the same on or before the first day of November next. And if any owner or owners of any such post or posts, rail or rails, shed or awning, shall suffer or permit the same to remain contrary to the provisions of this ordinance, every person so offending, on conviction thereof before the mayor, shall, for every day the same shall remain contrary to the provisions of this ordinance, forfeit and pay the sum of ten dollars, with costs of prosecution.

SEC. 6. *Be it further ordained,* That if any person or persons, owning or occupying any cellar, the door of which may be in any street, lane, or public alley, within said city, shall cause or allow such cellar door to be kept or remain open at any time between twilight in the evening and daylight in the morning, without at the same time having a light in such cellar way, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding five dollars, with costs of prosecution.

SEC. 7. *Be it further ordained,* That if any person or persons (except such as may be under the superintendence of the street commissioners, or one of them,) shall hereafter dig in, or in any manner break up any of the streets, lanes, or alleys aforesaid, or raise or break up any part of any of the pavements or curb stones therein, for any purpose whatsoever, without having previously obtained permission so to do from the city council, or the street commissioner for the proper district, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding fifty dollars, with costs of prosecution.

SEC. 8. *Be it further ordained,* That when any person shall be about to erect or repair any house or building, and shall wish to occupy a part of the street, by placing a lime house and materials for building therein, such person shall apply to the street commissioner of the proper district, who may allot such part of the street as he shall think proper and necessary for such purpose, and may grant a permit, to continue in force for such time as he shall deem reasonable and necessary, which permission shall be in writing, and shall describe the space so to be used; and the street commissioner granting such permission shall include there-

in such conditions as in his opinion a due regard for the convenience of the citizens may require: and if any person or persons shall hereafter place any lime house or materials for building, or other incumbrance whatsoever, in any street or public alley in this city, without permission of the street commissioner as aforesaid, and shall suffer the same to remain in such street, lane, or alley, more than twenty-four hours, or shall neglect or refuse to remove any such lime house, materials for building, or other incumbrance, out of such street, lane or alley, upon the request or order of either of the street commissioners; or if any person or persons having permission as aforesaid, shall in any respect violate the conditions thereof, or any of them, or suffer or permit any such violation, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution.

SEC. 9. *Be it further ordained,* That if any person or persons shall hereafter cast or lay, or cause to be cast or laid, any shavings, ashes, mud, dung, or other filth or annoyance whatsoever, (not incident to common housekeeping) on any pavement, or in any of the streets, lanes, or alleys aforesaid, or shall cast or throw down, or let fall from any cart, wagon, or other carriage, any rubbish, dirt, or earth, in any street, lane, or alley aforesaid, or on any part of the public common, save only in such parts and places as shall be appointed or permitted by the street commissioners, or one of them, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding five dollars, with costs of prosecution.

SEC. 10. *Be it further ordained,* That if any distiller, soap boiler, or tallow chandler, within the limits of the city of Cincinnati, shall hereafter, by themselves, their agents, journeymen, or servants, discharge out of, or from any still-house or work-shop, foul and nauseous liquor of any kind whatsoever, into or upon any adjacent ground, or in any well, vault, or sink, or into any of the streets, lanes, or alleys of said city; or if any soap boiler or tallow chandler shall keep, collect, or use, or cause to be kept, collected or used, within the limits aforesaid, any stale, putrid, or stinking fat, grease, or other matter; or if any distiller, or other person, shall collect or keep any hog or hogs in a pen, or otherwise confine any hog or hogs within the limits aforesaid, so as to annoy or offend any neighbor, or other person whatsoever; or if any butcher shall keep at or near his slaughter-house, within the limits of the city of Cincinnati, any garbage or filth whatsoever, so as to annoy or offend any neighbor, or other person whatsoever; or if any person or persons shall cast, carry, draw

out, or lay any dead horse, or other dead carcass of cattle, sheep, hog, or dog, or any excrement or filth from vaults, privies or necessary houses, and shall leave such carcase, carrion, or filth, within the limits of the city of Cincinnati, without burying the same at a sufficient depth in the ground, in some proper place without the limits of the built parts of said city, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay any sum not exceeding twenty dollars, with costs of prosecution.

Passed 10th of May, 1827.

An ordinance to amend an ordinance entitled "An ordinance to prevent the obstruction of the streets, alleys, and side walks," passed August 16th, 1821, and further to define the duties of the Street Commissioners.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the street commissioners to cause the paved streets and public alleys, in their respective districts to be scraped or swept clean, and the dirt that may collect on the same, to be removed therefrom as often as may be necessary, and they shall severally have authority to make such reasonable contracts as may be necessary to the discharge of the duties here enjoined, and it shall be the particular duty of each of the said commissioners to attend carefully to the cleanliness of his district, and to see that the filth and all noxious matter is seasonably and properly removed from all the streets and alleys therein.

SEC. 2. *Be it further ordained,* That the duties required of the marshal by the first and fourth sections of the ordinance entitled "An ordinance to prevent nuisances, and to provide for the security of the public health of the city of Cincinnati," passed April 26th, 1821; and of the health officers, by the ordinance entitled "An ordinance to regulate hauling of earth, gravel, &c.," passed May 25th, 1825; and by the ordinance entitled "An ordinance to regulate the use of the side walks in the city of Cincinnati," passed September 14th, 1825, shall hereafter be performed by the street commissioners respectively.

Passed 16th of May, 1827.

An ordinance to amend the ordinance entitled "An ordinance providing for the abatement and removal of nuisances, to keep the streets, lanes, alleys, and commons of the city of Cincinnati, open and in repair, and to regulate the use of the side walks," passed May 10th, A. D. 1827.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons shall hereafter saw, or cut any fire-wood, on any brick pavement or foot way in any street aforesaid, or shall set or place, or cause to be set or placed, any goods, wares, or merchandise, or other article or thing whatso-

ever, by way of exposing the same to sale, or otherwise, on or over any of the brick or stone pavements, or footways, or in any porch, or on any cellar door, or suspend any goods, wares, or merchandise, or other article or thing whatsoever, from any house or store, by way of exposing the same to sale, or otherwise, so that any such goods, wares, or merchandise, or other article or thing, shall extend or project into, or over the street or side walk, more than four feet from the line of the street, or more than four feet high from the top of the pavement or side walk, so that the same shall extend or project into or over the street, or side walk, more than eighteen inches from the wall or front of any such house or store, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding ten dollars, nor less than two dollars, with cost of prosecution: *Provided*, that this section shall not be extended to interfere with any regulation in the ordinance concerning the markets, or to prevent the sale of goods in the package, or household furniture at public auction, nor to prohibit merchants and others engaged in trade, from the free use of the streets and side walks, in common with others for the purpose of conveying their merchandise and other property, to and from their stores, while engaged in receiving or delivering goods, or other property, nor to prevent any person from unloading any fire wood, or other article or thing, proper to be placed on the street, and conveying the same across the side walk, to or from his or their lot or tenement; but if any merchant or other person, shall abuse this privilege by placing, or permitting, or suffering any article or thing whatsoever, to be put, or placed, or left remaining, on any side walk, or in any street in front of his, her, or their store or dwelling, more than four feet from the line of the street, so as to incommodate others, or shall neglect, or refuse, upon the request of any neighbor, or upon the request or order of either of the street commissioners, marshal, or other police officer, to cause any article or thing placed on the side walks, more than four feet from the line of the street, or in front of his, or their premises, to be immediately removed, and kept out of the way, so as not to incommodate others; every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding twenty dollars, nor less than one dollar, with costs of prosecution.

Passed 30th of May, 1827.

An ordinance to regulate the improvement of the Side Walks in the city of Cincinnati.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the owners of real estate, bounding on the paved streets within said city, to cut down or fill up and gravel or pave the side walks in front of their lots, and to repair and keep the same in good condition, and if any person or persons, shall neglect or refuse to cut down or fill up, as may be necessary, and gravel, or pave, or repair the side walk in front of his, her, or their lot, as aforesaid, in such manner, upon such grade from the curb stone to the line of the street, and within such reasonable time, as shall have been directed by the street commissioners, or either of them, as hereinafter provided, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the said city, any sum not less than five dollars, nor more than twenty dollars, with costs of prosecution.

SEC. 2. *Be it further ordained,* That it shall be the duty of the street commissioners respectively, to give notice in writing to the owner, or owners of real estate, bounding on the paved streets within said city, who shall neglect the same, to cause the side walks, in front of his, her, or their lot, to be cut down or filled up, as may be necessary, upon such grade as in his opinion will best promote the public convenience, and to cause the same to be graveled, paved or repaired, as may be necessary, and the street commissioner shall specify in such notice, the grade fixed by him, and the period of time within which the same shall be done, and report all delinquents to the mayor.

Passed 31st of October, 1827.

An ordinance further to amend the ordinance entitled "An ordinance providing for the abatement and removal of Nuisances, to keep the streets, lanes, alleys, and commons of the city of Cincinnati, open and in repair, and to regulate the use of the Side Walks;" passed May 10th, 1827.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That if any person or persons, shall hereafter erect, place, or fix, or cause to be erected, placed, or fixed, any fence, house, store, or other building whatsoever, in such manner as that any part thereof or any article or thing attached thereto, or connected therewith, in any manner whatsoever, and not specially permitted by the ordinance to which this is an amendment, shall extend into, upon, or over any part of any street, lane, public alley, or market place, within the city of Cincinnati; or if any person or persons shall hereafter erect, place, or fix, in any manner, any addition of any description whatsoever, to such part of any fence, house, store, or other building, now standing upon, or extending into, or over any part of any of the streets, lanes, public alleys, or

market places, within the said city, not specially permitted by the ordinance to which this is an amendment, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding one hundred dollars, nor less than ten dollars, with costs of prosecution; and if any person or persons convicted as aforesaid; or if any person or persons, owning or occupying any lot or lots in the city of Cincinnati, upon, or from which any fence, house, store, or other building, or any article or thing attached or fixed thereto, or connected therewith, in any manner whatsoever, now does, or hereafter shall extend or project into, upon, or over any part of any street, lane, public alley, or market place, within said city, shall neglect or refuse to take down and remove such house, store, or other building, or other article or thing, attached or fixed thereto, or connected therewith, out of such street, lane, alley, or market place, within such time as the city council shall order and direct, every person so offending, upon conviction thereof before the mayor, shall, for every day the same shall remain in, upon, or over such street, lane, alley, or market place, after conviction as aforesaid, or after the time fixed by the city council, for removing the same, forfeit and pay to the city of Cincinnati, any sum not exceeding ten dollars, nor less than five, with costs of prosecution: *Provided*, that nothing contained in the ordinance to which this is an amendment, shall be construed to permit any tavern keeper to extend his, her, or their signs across the side walk, on any street, lane, alley, or market place, within the city.

Passed 14th of November, 1827.

An ordinance further to amend the ordinance entitled "An ordinance providing for the abatement and removal of Nuisances; to keep the streets, lanes, alleys, and commons of the city of Cincinnati, open and in repair, and to regulate the use of the Side Walks;" passed May 10th, 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That it shall be lawful to set moveable posts in the streets, in boxes fixed in the side walk at the curb stone, for the purpose of fastening awnings to be extended across the side walk, and to continue the same from the first day of May to the first day of November, in each year, any thing in the ordinance, to which this is an amendment, to the contrary notwithstanding.

Passed 21st of May, 1828.

An ordinance regulating the mode of fixing the grades of the streets, lanes, and alleys, of the city of Cincinnati.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That every grade hereafter agreed upon, of any street, lane, or alley, within the boundaries of said city, shall be fixed on and established, by a resolution of the city council, adopted

after the subject of such grade shall have been referred to a committee, and a report made thereon, accompanied by a profile from actual survey, by the city surveyor.

SEC. 2. *Be it further ordained,* That any or all of the grades heretofore established and recorded by order of the city council, may hereafter be collectively, or severally sanctioned and confirmed under the authority of this ordinance, by resolution of the city council.

SEC. 3. *Be it further ordained,* That all alterations of established grades shall be effected by resolution as aforesaid: *Provided*, that no grade which shall have once been ordered and established, shall be altered or annulled until after the proposed change shall have been submitted to the city council for the term of one week, nor until five days' notice thereof shall have been inserted in a newspaper, or posted up in writing, by the city clerk, in two or more conspicuous places along the line of such proposed alteration.

Passed 1st of June, 1831.

An ordinance to protect the City Surveyor, and all other persons employed by the city, in the performance of their respective duties; and to provide against accidents to the citizens.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the street commissioners respectively, to cause such parts of the streets and alleys of the city, as may be occupied by workmen engaged in the performance of work of any kind, (authorized by a vote of the city council,) for the city of Cincinnati, to be closed for a reasonable time, when required either by the trustees of the ward, in which the work is going on, or by any other committee of the city council having the superintendence of the same, by placing poles, earth, or some other suitable barrier, across so much thereof as they may consider it necessary to set apart for the accommodation and protection of the workmen aforesaid: *Provided*, that in all cases where it is practicable, a free passage shall be left, in some portion of such street, for the accommodation of the public. And if any person shall remove such poles or barriers, or any of them, without the sanction of said trustees or committee; or if any person shall ride, lead, or drive any horse, animal or vehicle, of any kind, over such barriers, before said work is completed, or otherwise intentionally obstruct the workmen in their operations, every person so offending, on conviction thereof before the mayor, shall, for every such offence, forfeit and pay to the city of Cincinnati, any sum not exceeding twenty dollars, nor less than three dollars, with costs of prosecution.

SEC. 2. *Be it further ordained,* That if any person shall mo-

lest or interrupt the city surveyor, or any of his assistants, when in the performance of their official duties, by riding or driving any horse, animal, or vehicle of any kind, against their persons, fixtures, or surveying instruments, or by moving or deranging any stake or other land mark fixed or determined by either of them, or by wilfully injuring or impeding them in any other way: every person so offending, shall, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, for every such offence, a sum not exceeding twenty, nor less than five dollars, with costs of prosecution.

SEC. 3. *Be it further ordained*, That it shall be the duty of every person engaged, and the employer of every person engaged, in excavating the earth in any of the streets, lanes, or alleys, or in any other open and exposed portion, of the city of Cincinnati, to have the sides of the excavation or embankment so made, protected without delay, by suitable barriers, against accidents or injury to persons or animals passing near the same; and on failure to erect such barriers as aforesaid, every person so offending, or his employer, shall, on conviction thereof before the mayor, forfeit and pay, for every such offence, and for every day's continuance of the same, any sum not exceeding fifty, nor less than five dollars, with costs of prosecution. And any refusal or neglect on the part of the proper street commissioner, to prosecute for a violation of this section, shall subject him to a fine of any sum not exceeding five dollars, at the discretion of the mayor.

Passed 7th of October, 1831.

An ordinance extending Sixth street westwardly to Front street, at or near Stone's Bridge.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati*, That the petition of William Barf, Francis Carr, John Hood, and others, be granted, and that Sixth street be continued westward, of the width of sixty feet, the middle or centre whereof described as follows: beginning in the centre of the west end of said street, as now open, in the section line between sections eighteen and twenty-four of the Miami purchase, within the city, thence in the present direction of said street, south seventy-four degrees, west seventy-five chains, and twenty-five links, more or less, to an angle marked by a stake, on the lands of Henry Hathaway, from which a large poplar tree bears south seventy-four degrees east, one chain and forty links, and the east end of A. Kenry's brick house, in the south-west corner of Fifth and Wood streets, bears south three degrees east; thence north eighty-nine degrees and a half west, about fifty-eight chains to the east end of the north wing wall of Stone's bridge, at the mouth of Mill creek, intersecting Front street at the east end of said bridge.

SEC. 2. *Be it further ordained,* That the said street or highway, of the width of sixty feet, described as aforesaid, be opened and kept open for public use for ever.

Passed 28th of December, 1831.

Supplement to "An ordinance to regulate the improvement of the Side Walks in the city of Cincinnati," passed October 31, 1827.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That every side walk within the limits of said city, which may now, or hereafter, be bounded on its outer margin by curb stones, or paved gutters, shall, under the direction of the proper street commissioner, and at the expense of the owners of the adjacent lots, be forthwith paved with brick or stone, for a space of at least five feet in width, along the whole extent of said side walk; the remaining portion thereof to be either gravelled or paved, agreeably to the provisions of the existing ordinance.

SEC. 2. Every person refusing or delaying to have the side walk bounding on his or her lot paved as aforesaid, (after not less than three weeks' notice having been given to the owner or occupant thereof, by the street commissioner having jurisdiction of the same,) shall be subject to an assessment of one cent per foot, to be levied and collected by said commissioner, on the whole front of such lot, for every day that may elapse from the time specified in such notice, until the actual commencement (and during any unnecessary suspension) of said pavement; every person refusing to pay the same, shall be fined by the mayor, in any sum not exceeding double the amount of such assessment; *Provided*, that if the proprietor or occupant of said lot shall pay, or give a satisfactory obligation to pay, on demand, the actual cost or value of said pavement, the same shall be executed by the street commissioner, and the amount collected by him, under the direction of the city Council.

Passed 7th of April, 1832.

An ordinance to prevent the transportation of Frame Buildings, on or through the streets and commons of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person or persons to remove, or cause to be removed or transported on any of the streets or commons of the city of Cincinnati, any frame building or buildings of any kind or size, without having first obtained from the city council permission for so doing.

SEC. 2. *Be it further ordained,* That every person violating this ordinance, shall, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, a sum not exceeding one hundred dollars, with the costs of prosecution, for each and every violation of this ordinance.

SEC. 3. Be it further ordained, That it shall be the duty of the several street commissioners and the city marshal and his deputies to see this ordinance carried into effect.

Passed 25th of April, 1832.

An ordinance providing for more effectually cleaning the streets, and alleys of the city of Cincinnati.

SEC. 1. Be it, and it is hereby ordained by the City Council of the city of Cincinnati, That it shall be the duty of the occupant or occupants of every house within the city of Cincinnati, to sweep or cause to be swept clean; every morning before nine o'clock, the gutter of the street or alley in front and rear, or at the sides of his, or her, or their house and premises, and remove the contents thereof into the street or alley aforesaid, so as to afford a free passage to the water.

SEC. 2. Be it further ordained, That it shall be the duty of the occupant or occupants of every house in the city of Cincinnati, to convey into the street or alley in front or rear or at the sides of his, or her, or their dwelling every morning before nine o'clock, all perishable substances from his or her kitchen, for the public carts to take away, avoiding all obstructions to the passage of the water in the gutters.

SEC. 3. Be it further ordained, That every person neglecting to comply with the provisions of this ordinance, shall, for each and every offence, on conviction thereof before the mayor, forfeit and pay to the city of Cincinnati, the sum of five dollars and the costs of prosecution.

Passed 25th of June, 1832.

SURVEYOR.

An ordinance creating the office of City Surveyor, and prescribing his duties.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That on the first stated meeting in May next, and on the first stated meeting in May in each succeeding year thereafter, the city council shall appoint a city surveyor, who shall, within ten days after his appointment, and before entering on the duties of his office, take an oath or affirmation before the mayor, faithfully to execute the office of city surveyor; and in case a vacancy shall occur at any time, by death, resignation, or otherwise, the same shall be supplied by a new appointment.

SEC. 2. Be it further ordained, That it shall be the duty of the city surveyor, under the direction of the city council, to make all surveys of the streets, lanes, rows and alleys of the city, and

to execute plats, plans, draughts and statements of the same, and to calculate and ascertain the proper grade and level of all said streets, lanes, rows and alleys, and execute profiles, delineations and draughts of the same: And it shall further be the duty of the city surveyor, to keep a record of all such surveys, grades and levels as he may be required by the city council to make and execute, in a book to be furnished him by the said council, at the expense of the city, which said book, he shall, on the expiration of his term of office, deliver to the city clerk; and the city surveyor shall receive such compensation for his services as the council shall deem just and proper.

SEC. 3. Repealed.

Passed 30th of April, 1828.

An ordinance to amend an ordinance entitled an ordinance creating the office of City Surveyor, and prescribing his duties; passed April 30th, 1828.

SEC. 1. *Be it ordained*, That on the application of any person residing in the city of Cincinnati, to the city surveyor, for the purpose of ascertaining the correct line, or boundary, or proper grade of the private property of the person making such application, it shall be the duty of the city surveyor, within a reasonable time after such application, to attend at the place appointed by such person, and ascertain and point out to such person, the correct line, boundary, or grade, which he or she may require, and the person making such application, as aforesaid, shall pay the said surveyor, for his services a reasonable compensation.

Passed 27th of March, 1833.

TAVERNS, ETC.

An ordinance for licensing and regulating Taverns, Coffee houses, and Porter houses, in the city of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati*, That all applications for licenses to keep taverns, coffee houses, and porter houses, within the limits of this city, shall be by petition to the city council, describing by number, or otherwise, the house where such tavern, coffee house, or porter house is intended to be kept. And all such applications shall be accompanied with a recommendation, signed by at least twelve respectable householders, residing in the neighborhood of the house where such tavern, coffee house, or porter house, is intended to be kept, and certifying that the petitioner is well qualified to keep a tavern, coffee house, or porter house, as the case

may be. And all petitions for the purposes aforesaid, on the first reading the same, shall be referred to a standing committee, consisting of one member of council from each ward, whose duty it shall be to report whether such license ought to be granted, taking into view the local situation of the house intended to be kept as aforesaid, and all other circumstances connected with such application; which report, if made on a petition for a tavern license, shall set forth that the house therein described is suitable and convenient for a tavern; and if made on a petition for a coffee house license, shall state the sum for which the same should be granted; and if the city council are satisfied that the license applied for ought to be granted, they shall pass an order for that purpose, which order certified by the clerk, shall be delivered to the petitioner; and it shall be the duty of the mayor, on receiving such order, to issue the license, under the seal of the corporation: *Provided*, the petitioner shall have previously paid to the city treasury, the sum required for the same, and shall produce his receipt therefor; which license shall continue in force for one year, unless sooner revoked for the causes hereinafter mentioned.

SEC. 2. *Be it further ordained*, That every person obtaining an order for a license, agreeably to any of the provisions contained in the first section of this ordinance, shall, within ten days thereafter, pay to the treasurer of the corporation, the sum of twenty-five dollars, for a tavern license; the sum of fifteen dollars, for a porter house license; and any sum not exceeding seventy-five dollars, nor less than twenty-five dollars, for a coffee house, as the council may determine: *Provided*, that any person desirous of obtaining license as aforesaid, may state in his or her petition, on what particular day, subsequent thereto, he proposes to open such tavern, coffee house, or porter house, for public entertainment, so that such day be not beyond the period of thirty days from the date of said petition: and in that case, he or she, shall pay the sum required, to the treasurer of the corporation, within ten days from such time; and if default be made in the payment of the sum required within ten days, in either case, the order for such license shall be held void, and of no effect. And if any person keeping a public house, cellar, or garden, or any other person or persons belonging, shall sell, barter, or permit to be drank therein, within the limits of the corporation, any wine or spirituous liquors, by less quantity than one quart, without having first obtained a license, or shall sell or barter, either directly or indirectly, any porter, ale, or strong beer, by a less quantity than one gallon, without having first obtained a license to keep a porter house, except a licensed tavern keeper, or coffee house keeper, every person so offending, shall forfeit and pay any sum not exceeding fifty dollars, with costs of suit.

SEC. 3. *Be it further ordained,* That if any person licensed to keep a tavern, coffee house, or porter house, in this city, shall permit or allow any kind of rioting, revelling, drunkenness, lewd, or disorderly conduct, in his or her house, or on his or her premises, every such person, for every such offence, shall forfeit and pay a sum not exceeding fifty dollars. And it shall be the duty of the mayor, whenever a tavern keeper, coffee house keeper, or porter house keeper, shall have been twice convicted under this section of the ordinance, to certify that fact to the city council, who shall, thereupon, revoke the license of such person, or take such order thereon as they may think proper.

SEC. 4. *Be it further ordained,* That if any person, who may have obtained, or may hereafter obtain a tavern license, coffee house license, or porter house license, under any of the ordinances of this city, shall be convicted, under the laws of the state of Ohio, or the ordinances of said city, of playing at, or suffering any other person or persons, to play at any game or games, in his or her house, or on his or her premises, which are or may be prohibited by the laws of said state, or the ordinances of said city, shall, if such license be in force, forfeit the same, and be disqualified from keeping a tavern, coffee house, or porter house, in said city, for the term of one year thereafter.

SEC. 5. *Be it further ordained,* That it shall be the special duty of the street commissioners to keep a record of all licensed taverns, coffee houses, and porter houses, in their respective wards or districts, with the date at which each license commenced, and to report to the mayor, without delay, every person who may be found violating, in any manner, the provisions of this ordinance. And it shall also be the special duty of the city marshal to attend to the strict execution of this ordinance.

SEC. 6. *Be it further ordained,* That if any coffee house keeper, or porter house keeper, shall keep his or her house open on the first day of the week commonly called Sunday, such coffee house keeper, or porter house keeper, so offending, shall be fined in any sum not exceeding twenty dollars, with costs of suit.

SEC. 7. *Be it further ordained,* That if any licensed tavern keeper, coffee house keeper, or porter house keeper, shall sell or barter any wine, cordial, spirituous liquor, porter, ale, beer, or other fermented or intoxicating liquors, to any person or persons, under the age of twenty-one years, after having been notified and forbidden so to do, by his or her parent, guardian, or other person having control over such minor, or shall entice or harbor any such minor or minors in or about his or her house or premises, he or she so offending, shall be fined in any sum not exceeding fifty dollars, with costs of prosecution, and shall forfeit his or her license, and shall be disqualified to keep a tavern,

coffee house, or porter house, for one year from and after conviction.

SEC. 8. *Be it further ordained,* That all applications for a license to keep a tavern, coffee house, or porter house, shall lie over at least one week, for the consideration of the council.

SEC. 9. *Be it further ordained,* That all fines and penalties arising under the provisions of this ordinance, shall, on complaint made, be prosecuted before the mayor.

Passed 23d of May, 1834.

TAXES.

(See Special Taxes, and Road and Dog Tax.)

TREASURER.

An ordinance for the regulation of the Treasury of the city of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That it shall be the duty of the city treasurer, to attend at the office in the council house every day, (Sunday excepted,) from 8' clock, A. M. to 3 o'clock, P. M., and at such other hours, as may be necessary for the performance of the duties enjoined on him by ordinance, and he shall be allowed for his services, nine hundred dollars per annum, to be paid monthly.

SEC. 2. *Be it further ordained,* That the treasurer shall keep separate accounts of all moneys received into, and paid out of the city treasury, on account of the common school building fund, tuition fund, and for city purposes, and in all cases upon receipt of money, to give duplicate receipts therefor, one of which shall be forthwith deposited with the city clerk, and all money received into the treasury, shall be deposited in one of the banks of the city, and the book of such deposit shall be submitted to the committee of claims on the first Tuesday of each month.

SEC. 3. *Be it further ordained,* That the amount of all specific appropriations made by the city council, shall be set apart, and an account opened and kept of such specific appropriation, and no money thus appropriated, shall be paid out of the treasury for any other purpose whatever, and no money shall be paid out of the treasury but by order of the city council, signed by the clerk.

SEC. 4. *Be it further ordained,* That the treasurer shall deliver to the city clerk, on Monday of each week, all the orders redeemed by him during the week preceding, taking his receipt therefor; and he shall present to the clerk a statement showing the receipts and disbursements of the week preceding, with the balance of money remaining in the treasury on that day, designating in such statement the amount paid out of each specific appropriation, and the balance of each appropriation.

Passed 17th of December, 1834.

WARDS.

An ordinance dividing the Second Ward, and establishing the Fifth Ward in the city of Cincinnati.

Whereas, application having been heretofore made to this council, by the citizens of the Second ward, to divide the same, and a meeting of the qualified voters thereof having been held on the third day of March instant, in pursuance of the direction and public notice of this council, for that purpose, and the said qualified voters at the said meeting, having, with only one dissenting vote, consented and resolved, that the said Second ward should be divided by an east and west line, beginning at Main street and running through Sixth street, westwardly, to the corporation line: Therefore,

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That so much of the corporate limits of said city, as lies north of Sixth street produced, and west of Main street, shall compose, and is hereby established, a Fifth ward, and as such shall hereafter be entitled to all the rights, privileges, franchises, and immunities, which of right belong or pertain to the several wards of said city.

SEC. 2. That from and after the passage of this ordinance, so much of the corporate limits of said city as lies north of Third street produced, and south of Sixth street produced, and west of Main street, shall compose the Second ward, any law, ordinance, usage, or custom, to the contrary notwithstanding.

Passed 7th of March, 1827.

An ordinance changing the boundaries of the First and Third Wards, in the city of Cincinnati, and annexing a part of the First to the Third Ward.

Whereas, application having been heretofore made to this council by sundry citizens of the Third ward, to change the boundaries of the said First and Third wards, and to annex a part of the First to the Third ward; and a meeting of the qualified voters of each of the said wards, having been held, in their

respective wards, on the twelfth day of March instant, in pursuance of the direction and public notice of this council, and the said qualified voters at said ward meetings, respectively, having consented and resolved that all that part of the First ward lying south of Symmes' street and of the range of hills east of Deer Creek bridge, be attached to the Third ward, and that the boundaries of the said wards be changed accordingly; *Therefore,*

Sec. 1. Be it, and it is hereby ordained by the City Council of the city of Cincinnati, That from and after the passage of this ordinance, the east and west dividing line between the said First and Third wards shall be, and hereby is established as follows, to wit: beginning on Main street at the intersection of Third street, thence running eastwardly along the centre of Third street to Ludlow street, thence eastwardly along the centre of Symmes' street to High street, thence along the centre of High street eastwardly, to a point on said street, bearing north sixteen degrees east from the centre of the cupola of David Kilgour's dwelling house, near the reservoir, thence by said line north nineteen degrees east, to the northern boundary of said city.

Sec. 2. That so much of said city as lies north of the dividing line aforesaid, shall hereafter compose the First ward, and so much of said city as lies south of said dividing line, shall hereafter compose the Third ward, any law, ordinance, usage, or custom, to the contrary notwithstanding.

Passed 21st of March, 1827.

WATCH.

(See Nightly Watch.)

WATER AND WATER COMPANY.

An ordinance for supplying the town of Cincinnati with Water.

Sec. 1. Be it ordained by the Town Council of the town of Cincinnati, That the Cincinnati Manufacturing Company, their heirs, successors and assigns, shall be, and they are hereby vested with the exclusive privilege of conveying water, by tubes or otherwise, from the Ohio river, through the streets, lanes, and alleys and commons of the town of Cincinnati, for the purpose of supplying the inhabitants of said town therewith; which privilege may and shall be enjoyed by the said company, their heirs, successors, and assigns, exclusively as aforesaid, for the term of ninety-nine years, from and after the passing of this ordinance, on the following terms:

1st. The said company shall complete the work so far as to convey the water into that part of the town lying south of Third street, commonly called the bottom, within two years from and after the first day of July next; and they shall convey the water into that part of the town lying north of Third street, commonly called the hill, so that the same may be delivered three feet above the first floor of James Ferguson's kitchen in the second ward of said town, within the term of three years from and after the said first day of July.

2d. After the said period of three years, the company, their heirs, successors and assigns, shall continue to supply the citizens of the town, (or such of them as may desire to receive and pay for the same) with a sufficient quantity of water, making proper allowances for unavoidable accidents, and for the necessary repairing and renewing of their works.

3d. They shall permit water to be taken freely and without expense from their reservoirs and conductors, wherever the same shall be necessary, to extinguish fires in the town, and for this purpose they shall provide for each square or block to which they conduct the water, a fire plug, or pen stock; and if the town council shall at any time see proper to make reservoirs to be used in cases of fire, they shall be permitted to fill such reservoirs, free of expense, from the conductors of the company: *Provided*, the said reservoirs be kept tight and in repair, and the water therein be used exclusively for the purpose of extinguishing fires.

4th. The company, their heirs, successors and assigns, shall pay to the town council, yearly, and every year, during the continuance of the privileges herein granted, the sum of one hundred dollars, which payment shall commence one year after the works are completed. The money so to be paid shall constitute a free fund, and shall be appropriated under the directions of the town council, in such manner as they shall see proper, in providing and preserving such articles as may be useful in extinguishing fires.

5th. The said company, their heirs, successors and assigns, shall be permitted to dig in the streets, lanes, alleys and commons of the town, for the purpose of sinking their conductors and repairing them as often as may be necessary, leaving the surface of the street as before, causing as little inconvenience to the citizens as the nature of the case will admit: and they shall be permitted to demand and receive yearly, from the persons who shall use the water from their conductors, such sum as they may voluntarily agree to pay for the same.

6th. The privileges granted by this ordinance shall not be forfeited by a temporary interruption in the supply of water, occa-

sioned by accident or the want of repairs in the machinery, reservoirs, conductors, or other parts of the works: *Provided*, such accidents be remedied, and such repairs be made within a reasonable time.

7th. During the term of ninety-nine years, herein before specified, no other person or company, shall be permitted to convey water through the streets, lanes, alleys or commons of the town, by tubes or other conductors, for the purpose of supplying the citizens of the town with water.

SEC. 2. *Be it further ordained*, That if the charter of the said Cincinnati Manufacturing Company shall expire, or the said company be dissolved before the expiration of the aforesaid term of ninety-nine years, this ordinance and the privileges herein granted shall not thereby cease, but shall continue in full force and effect, and at the dissolution of the said company, all the privileges herein granted shall vest in the persons composing the said company, at the time of such dissolution, their heirs and assigns, in the proportion of their several interests in the stock of said company: *Provided*, The persons claiming the privilege aforesaid, comply with the terms herein before mentioned.

Passed 31st of March, 1817.

An ordinance amendatory to an ordinance entitled "An ordinance for supplying the town of Cincinnati with water."

SEC. 1. *Be it, and it is hereby ordained by the Town Council of the town of Cincinnati*, That the above section of the above recited ordinance, dated March 31st, 1817, shall be, and is hereby so amended, as to extend the time limited in said section for the Cincinnati Manufacturing Company to bring the water into that part of the town of Cincinnati aforesaid, lying south of third street, commonly called the bottom, from the first day of July, 1819, till the first day of July, 1820; and that so much of said section as limited the time aforesaid ~~the~~ first day of July, 1819, shall be and the same is hereby repealed.

Passed 27th of November, 1818.

An ordinance to prevent all unnecessary waste of water from the hydrants within the city.

Whereas, the permitting of water to run to waste from the hydrants within the city is calculated to produce very great nuisances in many parts of the same, and greatly to incommod the citizens and endanger their health, as well as in a great degree to lessen the security of the city against the merciless ravages of fire:

SEC. 1. *Be it therefore, and it is hereby ordained by the City Council of the city of Cincinnati*, That it shall not be lawful for any person or persons subscribing for, or using the water from

any hydrant within the city, to suffer such water to run unnecessarily to waste; and any such person or persons offending against the provisions of this ordinance, shall, on conviction thereof before the mayor, be fined for every such offence, in any sum not exceeding ten dollars, with costs of suit.

Passed 7th of January, 1824.

An ordinance to amend an ordinance entitled an ordinance to prevent all unnecessary waste of water from the hydrants within the city, passed January 7, 1824.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That it shall be unlawful for any person to open any communication with the water pipes without a permit from the company for so doing; and every person renting water shall keep the hydrant used by them in good repair; and any person who shall offend against either of the provisions of this section, shall, upon conviction thereof before the mayor, be fined in any sum not exceeding ten dollars, nor less than one dollar, with costs of suit.

SEC. 2. *Be it further ordained,* That it shall be the duty of the marshal, street commissioners, and of the fire engineer, to notice all violations of this ordinance, and also of the ordinance to which this is an amendment, and forthwith to make complaint thereof to the mayor.

SEC. 3. *Be it further ordained,* That all fines collected under this ordinance, and the ordinance to which this is an amendment, be paid into the city treasury.

Passed 25th of June, 1832.

WEIGHTS AND MEASURES.

An ordinance for the regulation of Weights and Measures.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati, and it is hereby ordained,* That from and after the taking effect of this ordinance, there shall be a regulation of weights and measures within this city, and that the within enumerated standards shall be the test by which they shall be compared and determined.

SEC. 2. The avoirdupois pound shall be the standard by which all gross articles shall be sold, such as are usually sold by that weight. The Winchester bushel, containing 2150.42 cubic inches, with its subdivisions, shall be the standard by which all articles usually sold by dry measure, shall be bought and sold. The wine gallon, consisting of 231 cubic inches, shall be the standard by which all fluids usually sold by that measure, shall be bought and sold. The yard measure shall be 36 inches in length.

SEC. 3. The city council at the expense of the city, shall procure correct and approved standards of the above enumerated weights and measures with their several necessary subdivisions, together with proper beams and scales, for the purpose of testing and proving the weights and measures to be used in this city.

SEC. 4. The city council at their first meeting in the month of May, annually, shall appoint some suitable person as Inspector and Sealer of Weights and Measures and Scales and Beams, who shall, previously to taking upon him the duties of his office, take an oath or affirmation faithfully to perform the same. The duties of which office shall be, when requested so to do, to try, compare, and seal all beams, weights, and measures when they agree with the several standards aforesaid.

SEC. 5. The Inspector and Sealer shall be allowed to receive the following fees of office, for services by him rendered under this ordinance, viz:

For inspecting and sealing each large beam,	25 ots.
For comparing and sealing each large weight of 7 pounds and upwards,	4
For inspecting and sealing each small beam with a set of counter weights,	25
For any less number of weights than a set, each weight,	2
For comparing and sealing a set of dry measures, from the bushel downwards,	25
For any less number, each measure,	12½
For an entire set of wine measures,	25
For a less number, each measure,	6½
For each yard measure,	6½

SEC. 6. From and after the taking effect of this ordinance, it shall be unlawful for any person to sell any articles within this city (except such goods as are usually sold by troy weight) by any other weight or measure than those herein enumerated and recognized: and whosoever shall sell goods, wares, or merchandise by any weight or measure, which shall be less than the standard aforesaid, upon complaint being made before the mayor of the city, he shall have power to fine them at his discretion, in any sum not exceeding twenty-five dollars, which shall be collected by the marshal, in the same manner as other fines are collected, and to be paid into the treasury for the use and benefit of the city.

Passed 14th of March, 1822.

An ordinance to amend an ordinance entitled "An ordinance for the regulation of Weights and Measures," passed March 14, 1822.

SEC. 1. *Be it and it is hereby ordained by the City Council of the city of Cincinnati, That each and every person who may sell*

any articles by weight or measure within this city (except such articles as are usually sold by troy weight) shall use only such weights and measures, beams and scales, as shall first have been examined and sealed by the person appointed by the city council for that purpose; and that any person or persons offending against the provisions of this ordinance, shall, on conviction thereof before the mayor, be fined in any sum not exceeding twenty-five dollars, for the use and benefit of the city.

SEC. 2. *Be it further ordained,* That it shall be the duty of the Inspector and Sealer of Weights and Measures, to examine, put in good order for use, and seal all weights, measures, beams and scales, without any unreasonable delay, after the same shall have been left at the place, or shop, where the said Inspector and Sealer usually performs the work; and that the said Inspector and Sealer shall be allowed to receive, for such services, in addition to the fees named in the ordinance to which this is an amendment, any reasonable sum that he may charge.

Passed 5th of November, 1822.

WHARVES AND WHARFAGE.

An ordinance to regulate the loading and discharging of boats, &c. at the public landings in the city of Cincinnati.

SEC. 1. *Be it, and it is hereby ordained by the City Council of the city of Cincinnati,* That all boats and water crafts of any description, that may be at, or shall arrive from time to time at any of the public streets, landings, or roads leading therefrom, or the landing in front of the common, between Lawrence and Butler streets, shall not be allowed to remain longer than twenty-four hours for the purpose of landing or discharging their respective cargoes, or for any other purpose, under a penalty of any sum not exceeding five dollars with costs, for every such offence, on conviction thereof before the mayor: *Provided,* That the mayor shall have power to grant a further time, not exceeding two days, when he may deem it necessary: *Provided, also,* That in all cases, empty boats of any description, or boats not receiving or discharging cargo, shall be compelled to give place to such boats or rafts as may be ready to discharge or take in a load; and every person refusing to give place as aforesaid, shall forfeit and pay any sum not exceeding ten dollars, with costs, on conviction thereof before the mayor.

SEC. 2. *Be it further ordained,* That no person or persons owning or having charge of any boat or other water craft, shall be permitted to lay at any of the landings aforesaid, for the pur-

pose of retailing out any lading of any description, fire wood excepted, without first having obtained a permit from the mayor, under the seal of the city, setting forth the number of days he or they wish to remain at such landing for the purpose aforesaid, and first paying into the hands of the city treasurer fifty cents per day, for every day he or they wish to remain at said landing, and a further sum of fifty cents to the mayor for issuing said permit; and any person or persons violating this section shall forfeit and pay any sum not exceeding five dollars with costs, for every day he or they shall retail such lading without having first obtained a permit as aforesaid.

SEC. 3. Be it further ordained by the authority aforesaid, That from the fifteenth day of May till the fifteenth day of October inclusive, in each and every year, it shall be unlawful for any person or persons to suffer the same to remain at the shore of the Ohio river between Western Row, west, and Deer Creek bridge, east, under a penalty, not exceeding five dollars, with costs, to be recovered before the Mayor, for every day the same is suffered to remain at the shore as aforesaid; and when any such boat shall be left at the river shore within the limits aforesaid, for which no owner can be found, it shall be the duty of the health officer for the river district to place a written notice thereon, stating that unless the owner shall remove the same within three days, it shall be sold for the benefit of the city, and if such boat shall not be removed agreeably to such notice, the said health officer shall forthwith proceed to sell the same at public outcry to the highest bidder, and pay over the proceeds of such sale into the city treasury: *Provided*, That this section shall not apply to boats engaged either in receiving or delivering cargo, but such boats shall be allowed a reasonable time for that purpose, not exceeding five days.

SEC. 4. Be it further ordained, That it shall be unlawful for any person owning or having charge of any boat of any description, which may be lying at the shore of the Ohio river, within the limits of the corporation, to suffer water to remain in the same till it shall become stagnant, under the penalty of a sum not exceeding five dollars with costs, for every day that such water is suffered to remain as aforesaid, and it shall be the particular duty of the health officer to make complaint for any violation of this ordinance.

Passed 3d of May, 1826.

An ordinance to establish a general system of wharves in the city of Cincinnati; and to provide for the appointment of a Wharf Master, and prescribe his duties.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That from and after the tenth day of May, instant,

each and every steam boat, barge, keel boat, and flat boat, which may land on, or anchor in front, and within one hundred feet of any public landing or wharf belonging to or which may hereafter become the property of said city, shall pay to the said city for wharfage the following sums of money in the respective rates following, to-wit: each and every steam boat of one hundred tons burthen and less, which may land or anchor as aforesaid, shall pay to the said city the sum of two dollars for the first twenty-four hours, or any part thereof, after landing or anchoring as aforesaid, and the further sum of one dollar for every subsequent twenty-four hours, or any part thereof, during the stay of such boat at said landing or anchorage; and each and every steam boat exceeding one hundred tons burthen, and less than one hundred and fifty tons, which may land or anchor as aforesaid, shall pay to the said city the sum of three dollars for the first twenty-four hours, or any part thereof, after landing or anchoring as aforesaid, and the further sum of two dollars for every subsequent twenty-four hours, or any part thereof, during the stay of such boat at said landing or anchorage; and each and every steam boat of one hundred and fifty tons, and less than two hundred and fifty tons burthen, which may land or anchor as aforesaid, shall pay to the said city the sum of five dollars for the first twenty-four hours, or any part thereof, after landing or anchoring as aforesaid, and the further sum of three dollars for every subsequent twenty-four hours, or any part thereof, during the stay of such boat at the said landing or anchorage; and each and every steam boat of two hundred and fifty tons burthen, and more, which may land or anchor as aforesaid, shall pay to the said city the sum of eight dollars for the first twenty-four hours, or any part thereof after landing or anchoring as aforesaid, and the further sum of five dollars for every subsequent twenty-four hours, or any part thereof, during the stay of such boat at the said landing or anchorage. And each and every keel boat, barge, or flat boat, not laden with fire wood for sale, which may land or anchor as aforesaid, shall pay to the said city the sum of one dollar and fifty cents for the first twenty-four hours or any part thereof, after landing or anchoring as aforesaid, and the further sum of one dollar and fifty cents for every subsequent twenty-four hours, or any part thereof during the stay of any such boat at said landing or anchorage; and every boat laden with fire wood for sale, which may land or anchor as aforesaid, shall pay to the said city the sum of fifty cents for the first twenty-four hours, or any part thereof, after landing or anchoring as aforesaid, and the further sum of seventy-five cents for the second twenty-four hours, or any part thereof, and the further sum of one dollar for every subsequent twenty-four hours,

or any part thereof, during the stay of such boat so laden as aforesaid, at said landing or anchorage.

SEC. 2. *Be it further ordained,* That on the third Wednesday of May, instant, and on the second Wednesday in May, in each and every year thereafter, it shall be the duty of the city council to appoint a Wharf Master, to be dismissed at the pleasure of said council, who shall reside within a convenient distance of the river Ohio, whose duty it shall be to take notice of all boats which may land on, anchor at, or fasten to any of the public landings of said city, and to enter on board thereof, and demand from the person commanding or having charge of the same, the amount of wharfage which said boat may be liable to pay under the rates and provisions of this ordinance for the time which such person commanding or having charge as aforesaid, may fix and intend that such boat shall remain at, or anchor near said landing, and on receiving the amount properly chargeable under the provisions of this ordinance for the time fixed and nominated by the commander or person having charge of said boat, to receipt for the same, expressing in said receipt the time fixed and nominated by said commander, or person having charge as to the time of stay of said boat at said landing or anchorage: and if any boat shall remain for a longer period of time at or near said landing than that fixed and denominated by the commander or person having charge of the same, and for which payment shall have been made as aforesaid, it shall be the duty of said Wharf Master to make further demand, and on further payment being made to receipt for the same as aforesaid, and from time to time to enter, make demand, and give receipt until the departure of said boat from said landing or anchorage.

SEC. 3. *Be it further ordained,* That if any person or persons commanding or having charge of any such boat shall neglect or refuse to make payment of wharfage as aforesaid, on demand being made as aforesaid, it shall be the duty of the said Wharf Master immediately to give information thereof to the mayor of the city, whose duty it shall be to issue a writ against such person or persons so refusing or neglecting to pay as aforesaid, and to have him or them forthwith brought before the said mayor to answer in debt for the sum chargeable for wharfage, as aforesaid, for the term of twenty-four hours, with costs of suit; and on like information from day to day, the like proceeding shall be had against said person or persons commanding or having charge as aforesaid, and who shall continue from day to day to neglect or refuse to make payment as aforesaid.

SEC. 4. *Be it further ordained,* That it shall be the duty of the said Wharf Master to keep a regular book of accounts, in which he shall enter the names of all persons from whom he

shall have received wharfage, with the date of such receipt and amount received; it shall also be the duty of the said Wharf Master to keep in the same book an accurate register of the name and tonnage of every steam boat which may land or anchor at any of the said public landings, together with the name of the place where said boat was built, and the name of the place where the same is owned, which said book shall be exhibited once in three months to the said council for their inspection, and which shall be at all times open to examination by any member of said council. The said Wharf Master shall at least once in each and every week pay over to the city treasurer all moneys which he may have collected for wharfage and take his receipt for the same; and before entering on the duties of his office he shall take an oath or affirmation faithfully and impartially to discharge the duties of his office, and shall moreover enter into a bond of one thousand dollars, with one or more good and sufficient sureties, to be approved of by the Council, conditioned to pay over all the money received by him as Wharf Master aforesaid to the city treasurer.

SEC. 5. *Be it further ordained,* That the Wharf Master shall have power, and it is hereby made his duty, to cause all steam and other boats, barges, and water craft to moor to and lay in such a manner at any point of the said public landings as in his discretion he shall deem best calculated for the convenience of all the boats lying at or near any of said landings: and he may at his discretion, order off and cause to be removed all skiffs, canoes, rafts and wherries, (except such as are used for ferry boats) to make room for the convenient landing of any boat or barge subject, under the provisions of this ordinance, to pay wharfage, and for the purpose of effectually preventing and suppressing all riots, disturbances and disorderly conduct at the river, the Wharf Master shall be vested with the powers and authority of a police officer of said city; and the said Wharf Master shall receive as a compensation for his services such sum as the said council shall deem proper and expedient to allow.

SEC. 6. *Be it further ordained,* That if any person or persons shall resist, or in any wise aid or abet in resisting the Wharf Master, while in the discharge of any of the duties of his office, he or they, on conviction thereof before the mayor, shall be fined in any sum not exceeding one hundred dollars with costs of suit.

Passed 5th of May, 1827.

An ordinance further to amend the ordinance entitled "An ordinance to regulate the loading and discharging of Boats, &c., at the Public Landings at Cincinnati," passed March 24th, 1821.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That if any person or persons shall hereafter break or injure any part of the pavement at or on any of the public landings of this city, by suffering his or their boat or raft or any boat or raft in his or their care or charge, to get aground at or on such pavement or public landing; or if any person or persons shall break or injure any such pavement or floating wharf belonging to the city, by casting or putting thereon any wood, stone, iron or lead, or shall injure any such floating wharf by overloading the same; or if any person or persons shall put or place any goods, packages, boxes, barrels, crates or other article or thing, on any such floating wharf, and shall suffer or permit the same to remain thereon longer than may be necessary to take such goods, packages, boxes, barrels, crates, or other article or thing, across such floating wharf to the shore, or to the boat; or if any person or persons who may be receiving or discharging cargo into or from any boat at such public landing, shall put or place any such cargo upon such landing or pavement, and suffer the same to remain there so as to incommodate others an unnecessary length of time, and shall neglect or refuse to remove such cargo upon such landing or pavement upon the request or order of the wharf master; or if any person or persons shall hereafter land or draw out any drift-wood, log or timber upon any such pavement or public landing without permission from the wharf master or other proper officer, or shall, after being notified by the wharf master or other proper officer, to remove such drift wood, log or timber, suffer or permit the same to remain on such pavement or landing so as to incommodate others or injure such pavement or landing, every person so offending, on conviction thereof before the mayor, shall, for every such offense, forfeit and pay any sum not exceeding twenty-dollars, nor less than five dollars, with costs of prosecution. And it shall be the duty of the wharf master to report all persons offending against the provisions of this ordinance, or the ordinance to which this is an amendment, to the mayor, to the end that all such offenders may be duly prosecuted and punished.

Passed 16th of May, 1827.

An ordinance supplementary to the ordinance entitled "An ordinance to establish a general system of Wharfage in the city of Cincinnati, and to provide for the appointment of a Wharf Master, and to prescribe his duties," passed May 5, 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That all the streets in said city, terminating at the Ohio river, shall be, and the same are hereby declared to be public

landings, and in all respects to be within the provisions of the ordinance to which this is a supplement.

Passed 19th of December, 1827.

An ordinance to amend the ordinance entitled "An ordinance to establish a general system of Wharfage in the city of Cincinnati, and to provide for the appointment of a Wharf Master, and prescribe his duties," passed May 5, 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That each and every boat laden with stone which may land at any of the public landings, shall pay to the said city the sum charged upon boats laden with fire wood for sale for the same time, and no more; and each and every flat, skiff, or other boat or craft; which may be kept or used as a ferry boat or skiff, for the purpose of carrying persons or property across the Ohio river, and which may land at any public landing or wharf aforesaid, (excepting such as may be kept and used by the persons having license, for the time being, under the authority of this city, to keep a ferry between Main street and Broadway,) shall pay to the said city the sum charged upon a flat boat, not laden with fire wood for sale, landing as aforesaid, for the same time; which sums shall be collected from the person or persons owning, or commanding, or having charge of, or using such boat, skiff, or other craft, in the manner prescribed, for the collection of wharfage by the ordinance to which this is an amendment: *Provided*, that this ordinance shall not be extended to authorise any person to land or deposit stone upon any paved landing or wharf, aforesaid; nor to authorise any person paying wharfage as aforesaid, to keep a ferry; but on the contrary it is declared that all the provisions of the ordinance entitled "an ordinance to regulate ferries across the Ohio river, from the city of Cincinnati to the opposite shore," passed August 30th, 1827, shall continue and remain in full force, any matters or thing herein contained to the contrary notwithstanding.

Passed 21st of May, 1828.

An ordinance to amend the ordinance entitled "An ordinance to establish a general system of Wharfage in the city of Cincinnati, and to provide for the appointment of a Wharf Master, and prescribe his duties," passed May 5, A. D. 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That the public landings of said city shall be divided into two districts; those situated east of Main street, including said street, shall compose one district, which shall be denominated the eastern district; and those situated west of Main street shall compose one district, which shall be denominated the western district.

SEC. 2. Be it further ordained, That on the third Wednesday of January, instant, the city council shall appoint a wharf mas-

ter to take charge of the western district, who shall continue in office until the second Monday in May next, and until his successor shall be appointed and qualified, but may be dismissed at the pleasure of the city council at any time.

SEC. 3. *Be it further ordained,* That the present wharf master shall take charge of the eastern district; and the said wharf masters shall severally, in all things within their respective districts, be governed by the provisions of the ordinance to which this is an amendment.

SEC. 4. *Be it further ordained,* That on the second Wednesday of May next, and on the second Wednesday of May in each year thereafter, the city council shall appoint a wharf master for each of said districts, (to be dismissed at the pleasure of the city council,) who shall reside within a convenient distance of the Ohio river, and who shall severally, in all things within their respective districts, be governed by the provisions of the said ordinance to which this is an amendment, and they shall receive such reasonable compensation for their services, and exercise such powers, and perform such other duties as the said city council may order and direct; and if a vacancy shall at any time occur, the same shall be supplied by a new appointment.

Passed 14th of January, 1829.

An ordinance to amend the ordinance entitled "An ordinance to establish a general system of Wharfage in the city of Cincinnati, and to provide for the appointment of a Wharf Master, and prescribe his duties," passed May 5th, 1827.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That from and after the seventeenth day of May, instant, each and every raft which may land or anchor in front, and within one hundred feet of any public landing or wharf, which is or may be the property of said city, shall pay to said city, for wharfage, the following sums of money, to wit: Each and every raft of hewn or round logs, and each and every raft of boards, or other lumber, which may land or anchor as aforesaid, shall pay to said city the sum of one dollar for the first twenty-four hours, or any part thereof after landing or anchoring as aforesaid, and the further sum of two dollars for every subsequent twenty-four hours, or any part thereof, during the stay of such raft at said landing or anchorage; but no raft of any description is to be hereby permitted to land or anchor at the wharf between Main street and Broadway, inclusive.

SEC. 2. *Be it further ordained,* That it is made the duty of the several wharf masters to demand and receive, from the person commanding or having the charge of said raft, the wharfage aforesaid, in accordance with the provisions of the ordinance to which this is an amendment; and the said wharf masters, shall have power to cause such rafts to move to, and lay in such a

manner at any point of the said public landings, as he in his discretion shall deem best.

Passed 15th of May, 1830.

An ordinance to amend an ordinance entitled "An ordinance to establish a general system of Wharfage in the city of Cincinnati, and to provide for the appointment of a Wharf Master, and prescribe his duties," passed May 5th, 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That from and after the first day of February next, each and every boat, laden with fire wood or stone, which may land on or anchor in front, and within one hundred feet of the public wharf, between the east side of Broadway and the west side of Main street, shall pay to the said city the sum of one dollar and fifty cents for each and every twenty-four hours, or any part thereof, during the stay of such boat, so laden as aforesaid, at said wharf or anchorage, any thing in any ordinance heretofore passed, to the contrary notwithstanding.

Passed 12th of January, 1831.

An ordinance to amend "an ordinance to establish a general system of Wharfage," &c., passed 5th of May, 1827.

SEC. 1. Be it ordained by the City Council of the city of Cincinnati, That in lieu of the wharfage on wood boats, required by the first section of the ordinance passed May 5th, 1827, and the amendment thereto, passed January 12th, 1831, it shall, hereafter, be lawful for the city wharf master to demand and collect from the persons having charge of such boats, the sum of six cents wharfage, for every cord of wood which may be landed at or anchored near, any of the wharves or landings named in said ordinance, for any term not exceeding twenty-four hours, and a like sum for each additional term during which any such boat may remain at or near any of the wharves or landings aforesaid: *Provided*, that the sum of fifty cents wharfage shall be charged as aforesaid, on all boats containing a less quantity than eight cords of wood.

SEC. 2. Be it further ordained, That hereafter it shall be lawful for wood boats to anchor or land at or near such portion, only, of the public wharf or quay as may be included between the east side of Broadway, and the east line of the alley forming the western boundary of the Cincinnati Hotel.

SEC. 3. Be it further ordained, That so much of any ordinance heretofore passed, as may conflict with any of the provisions of this ordinance, be, and the same is hereby repealed.

Passed 12th of November, 1831.

WOOD.

(See Fire Wood.)

WOODEN BUILDINGS.

An ordinance to prohibit the erection of Wooden Buildings in certain cases.

Sec. 1. Be it, and it is hereby ordained by the City Council of the city of Cincinnati, That applications made to the city council by the owners of property in any square or fractional square, to prohibit the erection of wooden buildings thereon, according to the tenth section of the city charter, shall be signed by three-fourths of the number of owners of the real estate therein, and shall be accompanied by a plat of such square or fractional square, with the division of lots or parts of lots, with the names of the owner or owners of each lot or part of a lot inserted in each division, if they can be ascertained; and if the city council deem it expedient to grant such application, it shall be recorded and filed with the plat as aforesaid, in the office of the city clerk, and notice thereof be given by the city clerk, in the newspaper wherein the ordinances of the city are published.

Sec. 2. That after an application shall have been granted, and notice thereof given as aforesaid, if any person or persons shall erect, or cause to be erected, on any such square or fractional square as aforesaid, any building or an addition to any building before erected, more than ten feet high, except the outer walls thereof shall be composed entirely of brick or stone and mortar; or if any person or persons shall move or cause to be moved, any frame or wooden building, more than ten feet high, on any square or fractional square as aforesaid; every such person or persons, shall, on conviction thereof before the mayor, forfeit and pay a sum not exceeding five hundred dollars, with costs of suit, and a further sum, not exceeding twenty dollars, for each and every day such prohibited building as aforesaid shall be suffered to remain after the conviction as aforesaid.

Passed 31st of October, 1827.

SHOWS AND EXHIBITIONS.

An ordinance for granting license for Plays, Shows and Exhibitions.

Be it ordained by the City Council of the City of Cincinnati, That no person or persons shall be permitted to exhibit in the said City, any Theatrical performance of any kind or description, Puppet Show Tumbling, Rope, or Wire Dancing, Balancing, Slight of Hand, or any natural or artificial curiosity, or deception, or representation of any kind whatever, either real or fictitious, for which compensation is demanded, unless he, she or they shall first apply to, and obtain the permission of the Council to make such exhibition or performance.

Sec. 2. And be it further ordained by the Council aforesaid, That the Council shall require a sum of money from such person or persons, (applicants) not exceeding one hundred dollars for each day, nor less than five dollars for each day, for the privilege of making such exhibition or performance, at the discretion of the Council: And the person or persons so applying, shall pay to the Treasurer of the Corporation such sum or sums of money as shall be ordered by the Council to be paid, and procure his receipt for the same, which receipt shall be produced to the Mayor, whose duty it shall be to make out a license in favor of such applicant or applicants, setting forth therein for what purpose the same is granted, and the time which it is to continue.

Provided nevertheless, That whenever the city council shall deem it necessary or proper, they may enter into a contract with any person or persons wishing to make a performance or exhibit a show, and accept such sums of money for the privilege as to them seems proper, in which case the money shall be paid to the treasurer, and a license obtained from the mayor, in the same manner as before recited in this section.

Sec. 3. And be it further ordained, That any person or persons wishing to apply for a license to exhibit, in the recess of council, such person or persons shall apply to the mayor, who shall have power to grant a license or licenses until the next meeting of the council, charging for each day a sum not more than one hundred dollars nor less than five dollars, in manner aforesaid, and to be levied as aforesaid.

Sec. 4. Be it further ordained, That any person transgressing this ordinance, shall, for each and every offence, on conviction thereof before the mayor, forfeit and pay a fine of not more than two hundred dollars, nor less than ten dollars, at the discretion of the mayor, for the use and benefit of the city.

Passed 26th of August, 1819.

An ordinance to amend an ordinance for granting license for Plays, Shows, and Exhibitions, passed August 26th, 1819.

SEC. 1. *Be it ordained by the City Council of the city of Cincinnati,* That every person or company, who may hereafter, on petition, be authorised by the city council to take out license for the exhibition of any theatrical performance in said city, shall, prior to obtaining such license from the mayor, pay into the city treasury, as a compensation for the same, as follows: If for the term of one year, the sum of fifty dollars; if for the term of three months, the sum of forty dollars; if for the term of one month, the sum of twenty dollars; and if for any shorter period, at the rate of three dollars per night; such payment, in all cases, to be made in advance; and every license granted under the provisions of this ordinance, or the ordinance to which this is an amendment, shall be subject to forfeiture, and may be revoked by the city council, on satisfactory proof being adduced of indecorous or improper conduct in the manager or company procuring the same: *Provided*, that no annual license granted under this ordinance shall be construed to include the privilege of retailing refreshments, &c., at the Theatre bars.

SEC. 2. *Be it further ordained,* That every person who shall, without a valid license, hereafter exhibit, or participate in exhibiting for pay, any theatrical performance or public show of any kind, within the city of Cincinnati, shall, on conviction thereof before the mayor, forfeit and pay to the said city, for every such offence, any sum not exceeding one hundred dollars, nor less than twenty dollars, with costs of prosecution.

SEC. 3. *Be it further ordained,* That so much of the ordinance passed August 26th, 1819, on the subject of plays, shows, and exhibitions, as may be inconsistent with the provisions of this ordinance, be, and the same is hereby repealed.

Passed 25th of July, 1832.

APPENDIX.

The Select Committee appointed to prepare and report rules for the government of the City Council, beg leave to report for their adoption the following STANDING RULES FOR THE GOVERNMENT OF THE CITY COUNCIL:

1. The stated meetings of the City Council shall be held at the Council Chamber on Wednesday in every week, and shall be opened at such hour as the Council may from time to time prescribe.

2. The President, at the instance of any three members, may order a special meeting of the City Council: *Provided*, that no special meeting shall be held, unless all the members who may be in the city at the time shall have been notified thereof.

3. The President shall take the chair at the hour appointed for the Council to meet, and shall immediately call the members to order; and the President, at the instance of any two members present, may order the attendance of absent members.

4. The President shall have a right to decide all questions of order, subject to an appeal to the Council.

5. It shall be the duty of the President to preserve decorum; and if any member transgress the rules of the Council, the President shall, or any member may, call to order; in which case, the member called to order shall immediately sit down and be silent, unless permitted to explain, and the Council, if appealed to, shall decide the matter.

6. Every member present when a question is put, shall vote, unless the Council shall, for special reasons excuse him.

7. Every motion or proposition, if the President or any member require it, shall be reduced to writing.

8. When a motion is made and seconded, it shall be deemed to be in possession of the Council, and shall be stated by the President, or being in writing, shall be delivered to the Clerk, and read by the President or Clerk previous to debate.

9. After a motion is stated by the President, or read by the Clerk, it may be withdrawn at any time before the decision or amendment, by consent of Council.

10. All questions to be put in this form: "as many as are of

opinion, (as the case may be) say *Aye*; contrary, *No*;" and in doubtful cases, the President may direct, or any member may call for a division.

11. When a member is about to speak, he shall rise and respectfully address himself to the President when in council, and to the Chairman when in committee of the whole; and the President or Chairman shall pronounce the name of the member entitled to speak.

12. No member shall speak more than twice on any question, without leave from the council, and the same rule shall be observed in committee of the whole.

13. The first reading of an ordinance proposed shall be for information, and if objections be made to it, the question shall be, Shall the proposition be rejected? If no objection be made, or the question to reject be lost, the ordinance proposed shall go to a second reading, without further question.

14. Upon the second reading of the ordinance, the President shall state it as ready for commitment or engrossment. If for commitment, the question shall be, whether to a select committee, or committee of the whole; if to a committee of the whole, or if it be ordered to be engrossed for its final passage, the Council shall appoint the day.

15. When a question is before the Council, no motion shall be received, unless to amend, to postpone, or commit the main question, to lay it on the table, for the previous question, or to adjourn.

16. A motion to adjourn shall always be in order, unless the Council is engaged in voting, and shall be decided without debate.

17. The previous question shall be put in these words: "Shall the main question be now put?" and it shall be admitted on the demand of three members, and until decided shall preclude all amendment or debate of the main question.

18. Any member may call for a division of the question, when the same will admit thereof.

19. An ordinance after commitment and report thereof, may be recommitted at any time previous to its final passage.

20. The *ayes* and *noes* shall be taken and recorded upon any question before the Council, upon the call of any two members; but such call shall not preclude amendments before the main question is put.

21. Any member shall have the liberty to dissent from and protest against any ordinance, resolution or order of the City Council, which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the journal.

22. In forming the committee of the whole, the President shall leave the chair, and appoint a chairman to preside, and the rules of proceeding in council, shall be observed in committee of the whole as far as the same may be applicable.

23. In filling blanks, the largest sum and longest time shall be first put.
24. All committees shall be appointed by the President, unless otherwise directed by the Council.
25. At the stated meetings of the Council, the journal of the preceding meeting shall be read, and the unfinished business appearing thereon shall be first disposed of in order, unless otherwise directed by the Council.
26. No member is to leave his seat in council, or in committee of the whole, without leave..
27. When the Council are called, the names of the members shall be called in alphabetical order.
28. All orders or resolutions for the appropriation of money, shall require the majority of the whole board for their passage.

AN ACT

To incorporate the Cincinnati Water Company.

WHEREAS, it has been represented to this General Assembly, by Samuel W. Davies, of Cincinnati, that on the 31st day of March, in the year 1817, the Town Council of the Town of Cincinnati, by a public ordinance for that purpose, granted to the Cincinnati Manufacturing Company, their successors or assigns, the exclusive privilege of conveying water from the Ohio river through the streets, lanes, alleys and commons of Cincinnati, by tubes or otherwise, for the purpose of supplying said town with water, for the term of ninety-nine years, upon certain terms and conditions in the said ordinance expressed and stipulated; and that afterwards, on the 18th day of March, in the year 1820, the said Cincinnati Manufacturing Company, in due form of law, transferred and assigned the privileges so by the said ordinance granted as aforesaid, to the said Samuel W. Davies, who hath constructed works for that purpose, and now supplies a part of said city with water under the said ordinance, but is unable from his own means, to furnish water to many parts of said Cincinnati, where it is necessary the same should be supplied:

Therefore, to enable the said Samuel W. Davies and such other persons as may be associated with him, more conveniently and effectually to extend and enlarge said Water Works, and to manage and conduct the same in a useful and efficient manner to themselves and to the inhabitants of said city, according to the intent and meaning of said ordinance,

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the said Samuel W. Davies, with such persons as may be associated with him, as owning a proprietary of said water works, be and they are hereby created a body corporate and politic in perpetual succession, by the name and style of the "Cincinnati Water Company," and by that name are hereby invested with full power and lawful authority to acquire, hold, possess, or occupy and convey all such real and personal estate, rights and privileges, as may be necessary and proper for the construction, extension and usefulness of said water works, and for the management and good government of the same; and for such purposes, and for all others necessarily connected with the proper management of the property of said Company and the administration of its affairs, the said Cincinnati Water Company shall be competent to contract and be contracted with, to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended in all courts and places and in all matters whatsoever; and to make, have and use, a common seal, and the same to break, alter and renew; and also to make, ordain and establish, and put in execution, and the same to alter and repeal, such Bye-laws, Rules and Regulations, as shall appear necessary and convenient for the good government of said Company, and the prudent and efficient management of its concerns: *Provided,* That such Bye-laws, Rules and Regulations, shall in nowise be contrary to the Constitution and laws of the United States and of this State: *Provided also,* That the said Company shall not apply their funds for banking or for any other purposes, except such as are expressed by this act.

SEC. 2. That the capital stock of said Company shall consist of a sum not exceeding seventy-five thousand dollars, divided into shares of one hundred dollars each, which said capital stock, together with such real and personal property as may belong to or be owned by said Company, shall be under the direction, management and control of Five Trustees, to be chosen annually, on the first Monday of January, by the Stockholders—each share counting one vote. The said Trustees shall have power to appoint a Clerk, Treasurer, and such other officers and agents as may be necessary and convenient for the successful prosecution of the lawful business and the exercise of the corporate powers of said Company,—which said Trustees, Clerk, Treasurer, and other officers and agents, shall perform such duties, and exercise such powers, not herein prescribed, as may from time to time be imposed upon them and directed by the Bye-laws, Rules and Regulations of said Company.

SEC. 3. That the first meeting of the stockholders of the said Company shall be held in the city of Cincinnati on the first

Monday of March next, at such place therein and at such time of day as the said Samuel W. Davies shall appoint, he giving ten days' notice thereof, by advertisement in some newspaper printed in said city; at which said meeting, or some adjournment thereof, the said Company shall elect their Board of Trustees, who shall hold their office until the first Monday of January, 1827, provide for calling, notifying and regulating future meetings of the same, and shall adopt such bye-laws, rules and regulations, as to them shall seem fit and expedient, and the necessities of said Company may then require.

SEC. 4. That this act shall be taken and received in all courts and by all judges, magistrates, and other public officers, as a public act; and all printed copies of the same, which shall be printed by, or under the authority of the General Assembly, shall be admitted as good evidence thereof, without any other proof whatever.

January 7th, 1826.

AN ACT

To provide for an adequate supply of Water for the extinguishment of Fires in the City of Cincinnati.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That for the purpose of more effectually securing the city of Cincinnati from the destructive ravages of fire, and to provide an adequate supply of water for the extinguishment thereof, it shall be lawful for the city council of said city, so soon as in their opinion the revenues of said city will justify the undertaking, to cause leaders or pipes, adapted to the conveyance of an ample supply of water at all times, for that purpose, to be laid from the Miami Canal along the most convenient streets to the most eligible points in the built parts of said city; and to take from said canal such supply of water as shall be necessary for the purposes contemplated by this act.

SEC. 2. And for the purpose of carrying into effect the provisions of this act, the City Council of the city of Cincinnati shall have power to cause a tax, not exceeding half a mill on the dollar, in any one year, to be levied on all the property in said city valued or appraised and subject to taxation for state and county purposes, to be certified to the county auditor, and collected and paid over by the county treasurer, in the manner provided by law for the collection and payment of the other taxes of said city; and the said city council shall also have power to contract any loan or loans of money which said city council may deem ne-

cessary for the purpose of supplying said city with water from the Miami Canal as aforesaid, to aid in the extinguishment of fires in said city; or for the purpose of supplying said city with water from the Ohio river for any use they may deem proper, any law to the contrary notwithstanding.

SEC. 3. That so much of the act entitled "An act to incorporate and establish the city of Cincinnati, and for revising and repealing all laws and parts of laws heretofore passed on that subject," passed January 26th, 1827; and so much of the act entitled "An act to incorporate and establish the city of Cincinnati, and for revising and repealing all laws and parts of laws heretofore enacted on that subject," passed February 12th, 1829, as may be inconsistent with the provisions of this act, be and the same is hereby repealed.

This act shall take effect and be in force from and after the first day of May next.

February 11th, 1832.

AN ACT

To authorize the City Council of the City of Cincinnati to borrow money.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That the City Council of the city of Cincinnati, be and they are hereby authorized to contract with any individual or body corporate, on the credit of said city, a loan for any sum not exceeding one hundred thousand dollars, for the purpose of liquidating or funding the existing debt of said city, at a rate of interest not exceeding six per cent per annum, for such period of time, and upon such conditions and stipulations, as the said City Council may by ordinance prescribe; any act incorporating said city or any amendments thereto, to the contrary notwithstanding.

SEC. 2. That for the purpose of paying the interest on any sum of money borrowed under the authority granted in the first section of this act, the said City Council shall have power, by resolution or ordinance, to appropriate or set apart any particular and specific revenues of said city, whether derived from wharves or public landings, or any other source whatever; and such revenues, or a sufficient amount thereof, when thus appropriated or set apart, shall be an convertible fund, for the payment and discharge of said interest.

SEC. 3. That if the City Council shall not by ordinance or resolution, appropriate and set apart any specific revenues of said city, for the payment of said interest, as provided in the prece-

ding section of this act, it is hereby made their duty, and they are hereby required, in each and every year, to levy, or cause to be levied and collected, a tax upon real and personal property in said city, as the same has been or shall be appraised and returned on the grand levy of the State, in addition to the other taxes now authorized to be levied and collected, sufficient in amount to pay said interest; which shall be applied to the payment of the same.

This act to take effect and be in force from and after the 9th day of April next.

February 14, 1831.

AN ACT,

To regulate the keeping of Gun Powder in the City of Cincinnati.

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall not be lawful for any person or persons, to deposite or keep in any store, ware-house, or other building, in the city of Cincinnati, any greater quantity than twenty eight pounds of gun-powder at any one time; and all gun-powder which shall be deposited or kept in said City, contrary to the provisions of this act, or contrary to the provisions of the ordinances of said city, shall be forfeited to the said city of Cincinnati, and may be seized and disposed of in such manner as the city council shall by ordinance prescribe.

SEC. 2. The city council of the city of Cincinnati shall have full power and authority, under such penalties as they shall deem proper, to regulate the keeping of gun-powder in said city; to regulate or prohibit the conveyance of gun-powder through the streets of said city; and to pass and provide for the execution of all such laws and ordinances as may be necessary and proper to carry into effect the powers herein and by this act granted.

February 22, 1833.

APPROPRIATIONS TO FIRE COMPANIES.

Resolved, That the City Council will accept the proposition of the several Engine and Hose Companies, and Hook and Ladder Company, composing the Fire Association, to change their present compensation as firemen, to the following Company allowance, viz: Five hundred dollars per annum to each of the Engine and Hose Companies, and two hundred and fifty dollars to the Hook and Ladder Company; the money to be paid to the Treasurer of each Company at the termination of each year, commencing the first day of April, 1833. Council is also to pay the ground rents of such of the above named Companies as are subject to that charge for ground occupied by their engine houses.

April 3, 1833.

NAMES OF STREETS AND ALLEYS.

Abigail street, 40 f. wide, Main to Broadway, between Hunt and Woodward.

Allison street, 33, Walnut to Vine north of Mercer st.

Augusta street, 60, Western Row west b. Front and 2d st.

Avery street, 20, Wood street west, b. 3d and 5th sts.

Abbott's alley, 10, from Western Row to b. 4th and 5th sts.

Baker street, 25, Walnut to Vine, b 3d and 4th sts.

Bank alley, 20, from 3d to 4th sts. b Main and Sycamore.

Baymiller street, 30, from London North.

Brasher's alley, 10, from Vine to Elm, b 9th and 10th sts.

Benham's alley, 12, from Race to Elm st. b 3d and 4th sts.

Brewer's alley, 10, Water to Front, b Race and Vine.

Broad street, 66, from Park st. East, b 2d and 3d.

Broadway, 100, river to 4th st., from 4th to 5th 70, from 5th to Hunt 66, from Hunt to Woodward 33, from Woodward to Corporation line 50.

Burnet street, 30, from Vine to Race, b 3d and 4th sts.

Burrows street, 24, from Race to Elm, b 2d st. and Green.

Barley alley, 20, from John st. west b 3d and 4th sts.

Bonsell's alley, 12, from Foote's alley W. b 2d and Washington place.

Borden's alley, 10, from College st. to Elm, b 6th and George.

Butler street, 60, from river to Symmes' 33 from Symmes to 5th st.

Baum's alley, 12, from Front to 2d, b Main and Sycamore.

Betts' street, 40, from Canal to W. Row, W. Row to John, and from John to Freeman st. b Laurel and Clinton.

Byron's alley, 12, from 6th to 7th st. b. Plum and W. Row.

Brown's alley, 10 $\frac{1}{2}$, from 6th to 5th, E. of Plum st.

Cassett's alley, 12, from Main st. to Broadway, b Abigail and Woodward sts.

Canal street, { North, } from Sycamore to Plum, b 10th and { South, } 12th sts.

Carr street, 50, from west Front to London st. Carr's sub.

Catherine street, 60, from W. Row to Fulton, 50 from Fulton to Goshorn's sub. thence 60 to Baymiller st.

Centre street, 40, from Vine to Elm, b 5th and 6th st. in Ferguson's subdivision.

Centre alley, 10, from 5th to church, b Main and Walnut.

Chesnut street, 60, from W. Row to Fulton, N. of Elizabeth st.

Charles street, 31, Elm to Plum, b Canal and 12th sts.

Cherry street, 20, Race to Elm, b Front and 2d sts.

Church alley, 10, Main to Druggist alley, thence 18 to Wolf's alley, thence 15 to Walnut st. b 4th and 5th.

Clay street, 34 feet, and 10 from Canal to 12th, from 12th to 13th 56 $\frac{1}{2}$, b Main and Walnut.

Collard street, from Vine N. W. to High st. on Collard's run, W. of Washington st.

College street, 35 to 36, from 6th to 7th st. b Vine and Race.

Columbia, (see 2d st.)

Congress street, 66, from Broadway to Ludlow, thence 60 to Canal, b 2d and 3d sts.

Court street, 66, from W. Row to Deer creek, thence 60 to High st. near Collard st. (see 10th st.).

Cutter street, 50, from London to Catherine st. W. of Fulton st.

Clinton street, 50, from W. Row to John, thence to Freeman st.

Cheapside, { East, } from 8th to Court st. between Sycamore { West, } and Broadway.

Clark street, 50, from W. Row to John st. Betts' sub.

Dudley's alley, 15 to 25, from Peter st. W. of Thoms' sub.

Dawson's alley, 10, from Congress to Symmes' st. b Pike and Congress.

Druggist alley, 10 feet, from 5th st. to Church alley, b Main and Walnut sts.

Dunseth's alley, 10, from Main to Reynolds' st., thence 15 to Walnut st.

Denniston's alley, 10, from 7th st. to Canal, E. of Race st.

Eighth street, 66, from Deer creek to Vine, 126 thence to Elm, thence not defined to Plum st.

Eleventh street, (see Canal st.)

Elizabeth street, 60, from W. Row to Cutter's line, thence 50 to Fulton N. of Catherine.

Elm street, 66, from river to corporation line, W. of Race st.

Everet street, 50, from W. Row to Freeman st. N. of Clinton st.

Fifth street, 66, from Deer creek to Ohio river.

Ferguson's alley, 12, from Main to Sycamore, b 8th and 9th sts.

Franklin street, 50, from Main to Sycamore, thence 60 to Broadway N. of Woodward st.

Friendship street, 20, from Lawrence to Butler, b East Front and Congress sts.

Fourth street, 60, from Pike to Ludlow, thence 66 to west line of Lawler, Foote, and Greene, thence 60 to Wood st.

Front street, E. 66, Main to Broadway, thence 50 to Lawrence, thence 60 to corporation line.

Front street west, 60, from Main st. to west line of Lawler, Foote and Greene's sub. thence 60 to 5th st., thence 66 $\frac{1}{4}$ to Mill creek bridge.

Fulton st. 47, from London to Betts' sub.

Foote's alley, 10, from 2d st. to 4th.

Freeman st. 50, west end of Betts' sub. from Cutter's line N. to Baker's line.

George st. 50, from Race st. to W. Row, thence 40 to west end L'Hommedieu's sub. b 6th and 7th sts.

Gibson's alley, (see Hopple's alley.)

Gilmore's alley, from 10 to 12 feet, from Front to 2d st. b Vine and Race.

Greene st. 40, from Race to Elm, b Burrow's and Union st.

Grove st. 30, from 6th to 7th st. b Sycamore and Broadway.

Greenleaf's alley, 10, from W. Row to west line of Lawler, Foote and Greene's sub. b Fronte and Augusta sts.

Graham's alley, 10, from W. Row to Smith st. b Water and Front sts.

Grandin's alley, 10, from Vine st. to Plum b Court and Canal.

Harrison st. 60, from Broadway eastwardly, b 5th and 6th sts.

Hatters' alley, 16, from Vine to Elm, thence 9 to Plum, thence 10 to W. Row, b 5th and Centre and Longworth sts.

High st. 33, from Butler st. to Parson's st., thence 50 to corporation line.

Husted's alley, 10, from 5th to 6th sts. W. of Elm st.

Hopple's alley, 20, from Main st. to Produce alley, b Lower Market and 3d st. thence by the name of Gilmer's alley to Sycamore st.

Hopkins st. 40, from W. Row to west end of Orphan Asylum lot—Betts' subdivision.

Horn's st. 50, from 6th st. north of Pond st. thence 25 to London st.—Longworth and Horn's sub.

Hunt st. 40, from Main street to Broadway, b Canal and Abigail streets.

Hotchkiss st. 30, from W. Row to John, south of Liberty st.

Hickory st. 50, from Linn to Locust st. north of Everet street, Betts' sub.

Jail alley, 10, from Main to Sycamore st. south of Abigail st.

John st. 60, from river to 200 feet north of 4th, thence 40 feet to 6th st., from George st. 40 feet to Betts's line, thence 50 to corporation line, west of W. Row.

Jackson st. about 50, from Canal to 13th st. b Walnut and Vine sts.—Benham's subdivision.

Johnson's alley, 10, from 7th to 8th sts. to Canal, b Vine and Race sts.

Kemble st. 60, from W. Row to Cutter st. b London and Richmond street.

Langdon's alley, 10, from 6th to 7th, b Main and Sycamore sts.

Lawrence st. 60, from river to 4th, b Ludlow and Pike sts.

Liberty st. 66, from Vine to Canal, thence 48 to John st. thence 50 to Freeman st., all on corporation line.

Lodge's alley, 24, from 5th to 6th sts. thence 20 to 7th st. b Walnut and Vine sts.

London st. 60, from W. Row westward to Horn st.

Longworth st. 60, from Elm st. to Centre st. westward to Barr's west line b 5th and 6th sts.

Lower Market st. 73 to 80, from Main to Sycamore st. thence from Sycamore 118 to 144 to Broadway.

Ludlow st. 66, from river to Congress, thence 33, to 4th street b Broadway and Lawrence.

Lytle st. from river 40, to High st., b Parson and Collard sts.

Lockport Avenue, 30, from Broadway and Court st. E. side canal and basin to Hunt st.

Laurel st. 50, from W. Row to Freeman street, b Hopkins' and Betts' st.—Betts' sub.

Linn st. 50, from south line of Betts' sub. to cor. line, b Locust and Cutter sts.

Locust st. 50, from south line Betts' sub. to cor. line, b Freeman and Linn sts.

L'Hommedieu's alley, 19, from W. Row to west end L'Hommedieu's sub. b George and 7th sts.

Lawson's alley, 10, from 4th to 5th, b Main and Sycamore sts.

Lewis' alley, 10, from 7th to Canal, west of Race st.

Macalister st. 33, from 4th to 5th st. east of Broadway.

Main st. 66, from river to the north line of the cor. b Walnut and Sycamore sts.

Mason st. 40, from Canal to Western Row, b William and Betts sts.—Wade's sub.

Masonic alley, 10, from 3d to 4th, b Main and Walnut sts.

Mercer st. 33, from Walnut to Vine st. b 13th and Allison sts.

Mill st. 60, from river to West Front, and thence 50 to 5th st.
See Parks' and Yeatman's and Anderson's subdivision.

Miller st. 20, from 6th to 7th, b Main and Walnut sts.

Monroe st. 40, from Elm to Canal south of Liberty st.

Morris' alley, 10, from 3d to 4th st. b Elm and Plum sts.

Mound st. from 5th to London, west of Smith st.

Martin st. 45, from High to east Court st.

McFarland st. 60 to 100, from Elm to Plum st. b 3d and 4th sts.

Marchant's alley, 16, from 9th st. to court house square, b Main and Sycamore sts.

New Market st.—See McFarland st.

New st. 30, from Sycamore st. to east line Piatt's and Spencer's subdivision, b 6th and 7th sts.

Ninth st. 66, from Plum to — Sycamore st. thence 45 to Broadway, b 8th and Court sts.

Northern Row, on corporation line, from Vine st. eastward.

Orchard st. from Main to Sycamore, north of Webster st.

Ormsby alley, 11, from Western Row to west line of Lawler's, Foote's and Greene's subdivision, b Augusta and 2d sts.

Pancoast's alley, 12, from 7th st. to Furguson's alley, b Main and Sycamore sts.

Park st. 50, from 5th to 3d st. Park's sub. thence 66 to 2d st. east of Mill st.

Parson's st. 33, from the river to High st. westward of Lytle st.

Patterson's alley, 14, from Mound to Walnut st. b 5th and 6th.

Pearl st. 53, from Main to Walnut, b 2d and 3d sts.

Perry st. 40, from Plum to W. Row, b 4th and 5th sts.

Pike st. 60, from the river to 5th st. b Lawrence and Butler sts.

Pleasant st. 30, from 15th st. N. of the cor. line, b Race & Elm.

Plum st. 66 to Canal, thence about 50 feet each side of Canal to the north line of the cor.

Post office alley, in Masonic alley.

Produce alley, 12, from 2d st. to Hopple's alley, b Main and Sycamore sts.

Pork alley, 19, from 9th to Court, b Main and Marchant's alley.

Pond st. 30 from Horn st. round the Pond to 6th st. at the bridge north of 6th st.

Piatt's alley, 12, from Vine to Elm st. b 7th and 8th sts.

Race st. 66, from river to cor. line, b Vine and Elm sts.

Reynolds st. 20, from Front to 2d st. thence 30, from 2d st. to rear of Pearl st. buildings, thence 25 feet 11 inches to Pearl st. b Main and Walnut sts.

Richmond st. 60, from W. Row to Hargraves' line, b Kemble and Catherine sts.

Russel's st. 20, from 4th to 5th st. b Elm and Plum sts.

Root's alley, 10, from College to Elm st. b George and 7th sts.

Ross' alley, 10, from 7th to Canal, east of Elm st.

Second st. 66, from Lawrence st. to Mill st. N. of Front st.

Seventh st. 33, from Deer creek to Main st. 60 thence to Vine, thence 66, to W. Row, thence 60 to Mound street.

School alley, 33, from Broadway to Ludlow st. thence 17 $\frac{1}{2}$ to Lawrence st. b 3d and 4th sts.

Sixth st. 66 from east line of Piatt and Spencer's sub. to Elm st. thence 120 to Western Row, thence 66 to Mound st. thence 60 to Mill Creek bridge.

Smith st. 60, from river to 200 feet north of 4th st. thence 40 to 6th st. and 40 from George to Seventh st.

Spinning's alley, 10, from Broadway to Ludlow, b Front & 2d sts.
 Spring st. 33, from Woodward st. to cor. line, east of Broadway.
 Sontag's alley, 14, from Vine to Elm st. thence 10 to Plum b 8th
 and 9th st. or Wayne st.

St. Clair's alley, 16, from 9th to Court, thence to Canal, b Main
 st. and Canal.

Stone st. 50, from 3d to 4th st. b Mill and Wood sts.

Stone's alley, 10, from 4th to 5th st: b Walnut and Vine st.

Sycamore st. 66, from the river to cor. line, b Main & Broadway.

Symmes st. 60, from Ludlow to Butler, connecting 3d st. with
 High st. b Congress and 4th sts.

Stitt's al. 10, from Borden's to Root's alley b College and Barr sts.

Tenth st. from Deer Creek to Western Row. See Court st.

Third st. 66, from Ludlow st. to west side of Lawler, Foote and
 Greene's sub., thence 50 to west Front st. b 2d and 4th sts.

Thirteenth st. 60, from Main to Vine st. thence to Race st.

Thorp's alley, 10, from Vine to Elm, thence 9 to Plum, thence
 10 to Western Row, b 6th and Longworth sts.

Twelfth st. 60, from Main to Western Row, north of Canal.

Union st. 40, from Race to Elm st. b 3d and Greene st.

Vine st. 66, from river to cor. line, b Walnut and Race sts.

Wade st. 40, from Canal to John st. south of Liberty st.

Walnut st. 66, from river to Canal, thence 60 to cor. line b Main
 and Vine sts.

Washington st. 40, from the river to High st. west of East. Lib.

Washington place, 66, from W. Row to Foote's alley, thence
 113 to west line of Lawler, Foote and Greene's sub. b 2d and
 3d sts.

Yeatman st. 25 to 35, from Syc. to Broadway b Front & 2d sts.

Water st. 66, from Main to Smith st. b river and Front st.

Watson's alley, 12, from 7th to 8th st. east of Main st.

Wayne st. See 9th st.

Webster st. 50, from Main to Broadway, north of Franklin st.

West market st. from Elm to Plum, b 3d & 4th sts. See M'Farland.

Western Row, 60, from river to 4th, thence 46 $\frac{1}{2}$ to 5th st. thence
 60 to cor. line, or Liberty st.

Whetstone's alley.

William st. 24 $\frac{1}{2}$, from Elm to Plum sts. b 9th and Court sts.

Wolf's alley, 10, from 5th st. to Church alley, east of Walnut st.

Wood st. 40, from river to 5th st. west of Stone st.

Wood's alley, 12, from Foote's alley W. to west line of Lawler,
 Foote and Greene's sub. b Washington Place and 3d sts.

Woodward st. 40, from Main to Spring st b Abigail & Franklin.

SYNOPSIS OF THE SEVERAL ACTS OF INCORPORATION, AND
NAMES OF THE PRINCIPAL OFFICERS UNDER THE SAME.

The first act to incorporate the *Town of Cincinnati*, was passed 1st of January, 1802, under the territorial government, which vested the corporate powers in seven Trustees, a President, Recorder, Assessor, Collector, and Marshal.

There are several omissions in the first ten years of the names of some of the officers, which have never been entered upon the proceedings.

The following synopsis, shews the names of the officers who have filled the principal offices of the corporation from its first organization down to the present period, as far as can be collected from the records:

1802.

David Zeigler, *President.*

Jacob Burnet, *Recorder.*

John Reily, *Clerk.*

1803.

David Zeigler, *President.*

Charles Kilgour, *Recorder.*

William McFarland, *Clerk.*

1804.

Joseph Prince, *President.*

Matthew Nimmo, *Clerk.*

1805.

James Findlay, *President.*

Aaron Goforth, *Recorder.*

Griffin Yeatman, *Clerk.*

1806.

James Findlay, *President.*

Aaron Goforth, *Recorder.*

Griffin Yeatman, *Clerk.*

1807.

Martin Baum, *President.*

Aaron Goforth, *Recorder.*

John Marshal, *Clerk.*

1808.

Daniel Symmes, *President.*

Aaron Goforth, *Recorder.*

James Ewing, *Clerk.*

1809.

Daniel Symmes, *President.*

Aaron Goforth, *Recorder.*

James Ewing, *Clerk.*

1810.

James Findlay, *President.*

James Andrews, *Recorder.*

Ethan Stone, *Clerk.*

1811.

James Findlay, *President.*

James Andrews, *Recorder.*

Daniel Symmes, *Clerk.*

1812.

Martin Baum, *President.*

Jacob Burnet, *Clerk.*

Down to this period there does not appear to have been any regular minutes kept of the proceedings of council, nor any fixed place for holding their meetings. In the two following years, it appears that they met at the Columbia Inn.

1813.

William Stanley, *President.*
 Samuel W. Davies, *Recorder.*
 Daniel Drake, *Clerk.*
 Jacob Williams, *Treasurer.*
 Andrew Brannon, *Marshal.*

1814.

Samuel W. Davies, *President.*
 Griffin Yeatman, *Recorder.*
 William Corry, *Clerk.*
 Davis Embree, *Treasurer.*
 James Chambers, *Marshal.*

1815.

An act to incorporate the Town of Cincinnati, passed 10th of January, 1815. Mayor to be elected by trustees from their own body—Street Commissioners appointed this year—Council met at the tavern of S. McHenry.

1815.

Wm. Corry, *Mayor & Pres't.*
 Oliver M. Spencer, *Recorder.*
 William Ruffin, *Clerk.*
 David Kilgour, *Treasurer.*
 James Chambers, *Marshal.*

1816.

Wm. Corry, *Mayor & Pres't.*
 Oliver M. Spencer, *Recorder.*
 Geo. P. Torrence, *Clerk.*
 David Kilgour, *Treasurer.*
 James Chambers, *Marshal.*

1817.

On the 14th April, 1817, the board met at the Council Chamber, situated on the corner of Main and Front streets, since removed, the ground upon which it stood being a part of the public landing.

1817.

Wm. Corry, *Mayor & Prest'.*
 Jesse Embree, *Clerk.*
 Jacob Wheeler, *Treasurer.*
 James Chambers, *Marshal.*

1818.

Wm. Corry, *Mayor & Pres't.*
 Martin Baum, *Recorder.*
 Jesse Embree, *Clerk.*
 Jacob Wheeler, *Treasurer.*
 James Chambers, *Marshal.*

1819.

An act to amend the act entitled "An act to incorporate the Town of Cincinnati," creating it a city, passed the 5th of February, 1819.—City divided into four Wards—three Trustees to be elected for each ward—Mayor elected by the city council—City Court established.

Isaac G. Burnet, *Mayor.*
 Jesse Hunt, *President.*
 William Oliver, *Recorder.*

Richard L. Coleman, *Clerk.*
 Jacob Wheeler, *Treasurer.*
 Samuel R. Miller, *Marshal.*

1820.

An act further to amend the act entitled "An act to incorporate the Town of Cincinnati," passed 25th February, 1820—some slight changes made by this act.

Isaac G. Burnet, *Mayor.*
 Jesse Hunt, *President.*
 William Oliver, *Recorder.*

William Philips, *Clerk.*
 Jacob Wheeler, *Treasurer.*
 Samuel R. Miller, *Marshal.*

1821.

An act further to amend the act entitled an Act to incorporate the Town of Cincinnati, passed the 29th of January, 1821—Mayor to be elected by the city council—Mayor's Court established, composed of Mayor and Aldermen.

Isaac G. Burnet, *Mayor*, elected for two years.

William Oliver, *President*.

Samuel Perry, *Recorder*.

William Ruffin, *Clerk*.

Richard L. Coleman, *Treas'r.*

John C. Avery, *Marshal*.

1822.

Isaac G. Burnet, *Mayor*.

Samuel Perry, *President*.

Thomas Henderson, *Recorder*.

Thomas Tucker, *Clerk*.

Richard L. Coleman, *Treas'r.*

John C. Avery, *Marshal*.

1823.

Isaac G. Burnet, *Mayor*, re-elected for two years.

Samuel Perry, *President*.

Thomas Henderson, *Recorder*.

1826.

An act to incorporate and establish the City of Cincinnati, &c., passed 31st January, 1826.

Isaac G. Burnet, *Mayor*.

Lewis Howell, *President*.

Oliver Lovell, *Recorder*.

John Gibson, *Clerk*.

Richard L. Coleman, *Treas'r.*

Zebulon Byington, *Marshal*.

1827.

An act to incorporate and establish the City of Cincinnati, &c., passed 26th January, 1827—Mayor elected by the people.

Isaac G. Burnet, *Mayor*, re-elected for two years.

Lewis Howell, *President*.

Oliver Lovell, *Recorder*.

John Gibson, *Clerk*.

Richard L. Coleman, *Treas'r.*

Zebulon Byington, *Marshal*.

1828.

An act to amend an act to incorporate and establish the City of Cincinnati, &c., passed 3d January, 1828.

Isaac G. Burnet, *Mayor*.

Lewis Howell, *President*.

Samuel R. Miller, *Recorder*.

John Gibson, *Clerk*.

Richard L. Coleman, *Treas'r.*

Zebulon Byington, *Marshal*.

1829.

An act in addition to the act entitled an act to incorporate and establish the City of Cincinnati, &c., passed 12th February, 1829.

Isaac G. Burnet, *Mayor*, re-elected for two years.

Dan Stone, *President*.

Samuel R. Miller, *Recorder*.

John T. Jones, *Clerk*.

Richard L. Coleman, *Treas'r.*

William Doty, *Marshal*.

1830.

Isaac G. Burnet, *Mayor*.

Dan Stone, *President*.

Oliver Lovell, *Recorder*.

John T. Jones, *Clerk*.

Richard L. Coleman, *Treas'r.*

William Doty, *Marshal*.

1831.

Elisha Hotchkiss, *Mayor*, elected for two years.

Ezekiel S. Haines, *President*.

Oliver Lovell, *Recorder*.

John T. Jones, *Clerk*.

Stephen McFarland, *Treas'r.*

William Doty, *Marshal*.

1832.

Elisha Hotchkiss, *Mayor*.

Nath'l. G. Pendleton, *Pres't.*

Oliver Lovell, *Recorder*.

Charles Satterly, *Clerk*.

Stephen McFarland, *Treas'r.*

William Doty, *Marshal*.

1833.

Samuel W. Davies, *Mayor*, elected for two years.

Nath'l. G. Pendleton, *Pres't.*

Oliver Lovell, *Recorder*.

Charles Satterly, *Clerk*.

James Comly, *Treasurer*.

Jesse Justice, *Marshal*.

1834.

An act to incorporate and establish the City of Cincinnati, &c., passed 1st March, 1834.

Samuel W. Davies, *Mayor*.

Ezekiel S. Haines, *President*.

Ebenezer Hinman, *Recorder*.

Charles Satterly, *Clerk*.

S. Scott, *Treasurer*.

Jesse Justice, *Marshal*.

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